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Security Council
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5375th meeting
Tuesday, 21 February 2006, 11.20 a.m.
New York

President:	Mr. Bolton	(United States of America)
Members:	Argentina	Mr. Mayoral
	China	Mr. Wang Guangya
	Congo	Mr. Okio
	Denmark	Ms. Løj
	France	Mr. De La Sablière
	Ghana	Nana Effah-Apenteng
	Greece	Mrs. Telalian
	Japan	Mr. Oshima
	Peru	Mr. De Rivero
	Qatar	Mr. Al-Nasser
	Russian Federation	Mr. Rogachev
	Slovakia	Mr. Burian
	United Kingdom of Great Britain and Northern Ireland	Mr. Thomson
	United Republic of Tanzania	Mr. Mahiga

Agenda

Briefings by Chairmen of subsidiary bodies of the Security Council

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06-24785 (E)

The meeting was called to order at 11.20 a.m.

Adoption of the agenda

The agenda was adopted.

Briefings by Chairmen of subsidiary bodies of the Security Council

The President: I should like to inform the Council that I have received letters from the representatives of Algeria, Austria, Brazil, Indonesia, Israel and the Bolivarian Republic of Venezuela, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend invitations under rule 39 of its provisional rules of procedure to Ambassador Ellen Margrethe Løj, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001), concerning counter-terrorism; Ambassador César Mayoral, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999), concerning Al-Qaida and the Taliban and associated individuals and entities; and Ambassador Peter Burian, Chairman of the Security Council Committee established pursuant to resolution 1540 (2004).

It is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

I wish to draw the attention of the members of the Council to documents S/2005/800 and S/2006/107, which contain letters dated 15 December 2005 and 15 February 2006, respectively, from the Chairman of the 1373 Committee and addressed to the President of the Security Council.

At this meeting, we will hear briefings by the Chairmen of the 1373 Committee, the 1267 Committee and the 1540 Committee.

I now give the floor to Ambassador Ellen Margrethe Løj, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001), concerning counter-terrorism.

Ms. Løj: As Chairman of the Counter-Terrorism Committee (CTC), I would like to review with the Council the Committee's activities since the last report to it, in October 2005. I am pleased to present to the Council the Committee's eighteenth work programme, for the current three-month period ending 31 March 2006.

Before I begin, I would like to thank the head of the Counter-Terrorism Committee's Executive Directorate (CTED), Mr. Javier Rupérez, and his team, as well as the Secretariat staff, for their valuable support.

I would also like to recall that the Committee declared CTED operational on 15 December 2005, in accordance with resolution 1535 (2004). Members of the Council will recall that that decision had long been awaited. The Committee had been eager to develop the support structure called for in resolution 1535 (2004) so as to be better able to carry out mandated tasks such as monitoring the implementation of resolution 1373 (2001), assisting States to improve their capacity to implement resolution 1373 (2001) and enhancing the implementation of resolution 1624 (2005).

We hope we will now be able to make greater progress to achieve the Committee's mandate. The Committee also hopes Member States will profit from the additional resources available to guide and advise them in fully implementing the provisions of resolution 1373 (2001). I invite States to take advantage of those valuable tools.

Let me briefly explain what the Committee's focus has been since my last report to the Council.

First, I am pleased to report that the Committee has cleared the backlog of reports from States on their implementation of resolution 1373 (2001). Once the

CTED became fully staffed, in September 2005, clearing the backlog became a priority. Timely analysis of States' reports allows the Committee to engage in substantial dialogue with States regarding the implementation of resolution 1373 (2001). Such dialogue is essential if the Committee is to fulfil its Security Council mandate to monitor States' implementation of resolution 1373 (2001) and to facilitate technical assistance.

That brings me to the Committee's second priority during the last quarter, namely, determining how to fulfil our mandate to facilitate technical assistance to States that lack the capacity to implement fully the provisions of resolution 1373 (2001). In order to create a common understanding about how to fulfil that role, the Committee discussed and agreed upon policy guidelines. Those guidelines are accessible on the Committee's newly redesigned website. In short, the guidelines stress the importance of engaging with States that may need help in identifying and prioritizing needs and describe how the Committee can work with potential donors to link them to States with identified and agreed needs. The next step is to convert those guidelines into action. The Committee is currently discussing a CTED proposal on how to ensure that results can be achieved. I would like to reiterate the Committee's invitation to States to engage with us on that matter.

In the same vein, I would like to call attention to the Committee's continuing focus on visiting States. Those visits, which take place with the consent of the State concerned, provide an opportunity to engage in detailed discussions to monitor the implementation of resolution 1373 (2001), in line with resolution 1535 (2004). The objective is to offer additional analysis to States already engaged in the fight against terrorism and in implementing resolution 1373 (2001). Specifically, the visits enable the CTC to get a clearer picture of where there are capacity gaps and what the priorities should be in filling those gaps, including through the facilitation of technical assistance, if necessary. Such an outcome can be useful not only to the States that the CTC visits, but also to the donor community as it decides where to channel its limited technical assistance.

Since I last reported to the Council on the work of the CTC, CTED staff members have visited Algeria and Tanzania and are making advanced preparations for a visit to the former Yugoslav Republic of Macedonia. I would like to thank the Governments of those States for their hospitality, as well as their cooperation with the visiting team. Also, it has been almost a year since the first visit to Morocco. The Committee will make a special effort to ensure appropriate follow-up to enhance the results of those visits. In the months to come, the Committee will put more emphasis on enhancing visits to States, upon their consent.

Let me say a few words about our work regarding resolution 1624 (2005). As all members are aware, when the Council adopted resolution 1624 (2005) it entrusted the Committee with the task of including in our dialogue with Member States their efforts to implement that resolution. The Committee has developed a few questions to States on how they implement resolution 1624 (2005). Those questions have been included in the Committee's ongoing correspondence with States and can also be found on the Committee's website. I would like to take this opportunity to encourage all States to share that information with the Committee. If States have received a letter, we would be grateful for a prompt response, but States need not wait for such a letter - we would be very happy to receive replies from States based on the information on the website. The Committee will also use visits to States to enhance dialogue about implementation of resolution 1624 (2005).

Before turning to the current work programme, I would like to point out that the Committee also spent time in December preparing the Council's comprehensive review of the CTED, as mandated by resolution 1535 (2004). The report the Committee prepared for the Council in connection with the review sets out an ambitious agenda for the Committee and its CTED. The Committee, through its guidance to the CTED, will do everything it can to realize the goals set out in that report, which the Council adopted.

This leads me to the Committee's current work programme. There are three top priority areas: revising the reporting regime; enhancing dialogue with States on technical assistance; and revisiting and deepening relations with international, regional and subregional organizations.

I am happy to report that the Committee is now taking concrete steps to revise its reporting procedures. As a first step, the Committee has decided to focus on

analysing individual States' accomplishments in implementing resolution 1373 (2001). That analysis, prepared by CTED, will guide the Committee in determining how to engage most fruitfully with the States concerned in furthering each State's implementation.

The Committee may need to make written requests for more information from a State. On the other hand, the Committee may suggest that the CTED seek to visit the State to obtain a clearer picture of the progress being made and to enable dialogue about what further steps may be needed, including concerning requests for technical assistance. Other tools may also be used, such as encouraging enhanced cooperation with relevant international, regional and subregional organizations or working to identify priority needs for technical assistance. Such a process would allow the development of a tailor-made approach for each individual State. I would like to stress that the process will be guided by the Committee's principles of cooperation, transparency, even-handedness and consistency in approach.

It is my hope that the streamlining of reporting procedures will encourage States to cooperate more fully with the Committee. Our efforts are designed to indicate that, while implementing 1373 (2001) and monitoring that implementation is an ongoing process, requests for possible further reporting will be based on very thorough considerations, also taking into account the resources required to prepare those reports. As such, the Committee will no longer, as an automatic response to a State's report, forward a request for further information. We invite States that have fallen behind on reporting to re-engage. Also, we hope that the revised approach will allow the Committee to engage more substantially with States that seek assistance and we invite States that have already put in place the basic tools to implement resolution 1373 (2001) to keep us informed of developments in strengthening their systems, while placing greater emphasis on thinking about how to assist and share experience with other Member States.

The 2005 world summit outcome recommends that the Security Council look into consolidating States' reporting under the three regimes, taking into account and respecting the different mandates of the Council's counter-terrorism subsidiary bodies. Therefore, the CTC has asked its CTED, in cooperation with the experts concerning resolution 1540 (2004) and the Monitoring Team established pursuant to resolution 1267 (1999), to see how that consolidation can be most efficiently accomplished. The Committee looks forward to a cooperative effort in drafting a proposal to the Council in that regard.

On the question of capacity-building, the Committee will focus especially on States that have requested assistance, working with them to identify priority needs and to disseminate information about those needs to States and organizations that might be able to meet them.

The Committee has also continued its discussion of the identification of best practices in areas relevant to resolution 1373 (2001) in order to assist States seeking to broaden and deepen their implementation of that resolution. The Committee is updating its list of identified best practices to assist States in implementing the provisions of resolution 1373 (2001). It is hoped that the updated overview will be posted on the Committee's website shortly.

Finally, the Committee is reviewing its cooperation with international, regional and subregional organizations. The aim is to develop a closer working relationship. The Committee will remain committed to previously established cooperative arrangements with many regional organizations, while making a special effort to reach out to other regional groupings that are developing their own counter-terrorism agenda. I invite such organizations to work with the Committee.

In that light, I would also like to thank the Caribbean Community for welcoming CTED to have discussions about how to enhance cooperation with the Committee. Over the coming months, it is my hope that such cooperation will develop further.

The CTC remains a crucial instrument in the international community's fight against terrorism. Developments since I reported last have shown once again that its task remains vital and urgent. Support from and cooperation with Member States remains invaluable. I would therefore like to thank Member States for their important contributions.

The President: I thank Ambassador Løj for her briefing.

I now give the floor to Ambassador César Mayoral, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999)

concerning Al-Qaida and the Taliban and associated individuals and entities.

Mr. Mayoral (*spoke in Spanish*): I have the honour to introduce my four-month briefing pursuant to paragraph 16 of resolution 1617 (2005). Since the last briefing to the Council, I wish to inform members that 17 individuals and four entities have been added to the list. Two individuals were removed from the list during the same time period, and the Committee has upgraded the information concerning 46 individuals and three entities. Efforts to enhance the quality of the list also continue.

In that regard, the Committee will soon implement its decision to render all names on the list in their original language and is actively considering other further improvements to the identifying information of individuals already on the list.

On 21 December 2005, the Committee approved a partial revision of its guidelines. As the Council is aware, the Committee had been considering such a revision for more than a year and a half, and it was therefore a source of great satisfaction that agreement was reached on most of the issues under discussion.

The Committee is continuing to discuss the listing and delisting of names from the Consolidated List, as requested by the Council in resolution 1617 (2005).

I shall not go into detail as to all the changes, but I would encourage Member States to familiarize themselves with the new guidelines, which enhance the Committee's decision-making procedures and clarify the rules concerning updating the Consolidated List and the application of exemptions pursuant to resolution 1452 (2002).

As I indicated in my most recent briefing to the Council, the Committee has substantially increased its cooperation with Interpol. That cooperation has led to the adoption of concrete measures, reflected on 6 December when Interpol issued its first four Interpol-Security Council special notices concerning individuals placed on the Consolidated List. The dissemination of those notices will significantly enhance the application of sanctions, as it will make it possible to utilize the already existing communications network between Interpol and the police authorities of almost all United Nations Member States. In the near future, the Committee will submit further names to Interpol so as to ensure that as many special notices as possible can be issued. For that reason, we wish here to express our gratitude to Interpol for its efforts in that regard.

Likewise, at several of its meetings, the Committee considered the issue of Afghan nationals placed on the Consolidated List who have responded to the appeal of the national commission for the consolidation of the peace process and declared their support for peace and stability in that country. In its communications with Afghanistan, the Committee has stated that it deems the process under way very important for the development of Afghanistan. The Committee has also noted that the removal of the names of those individuals from the list should be a requirement for their full reintegration into Afghan society.

In that regard, the Committee is seeking further information from Afghanistan concerning the process in general and the decision to reintegrate those individuals in particular.

In that regard, the Committee has also requested the Monitoring Team to assist Afghanistan in that respect. On 31 January, the Committee received a response to the request made by the Secretary-General in summer 2005 for information on what measures were in place within the United Nations system to ensure that it did not enter into any contractual relationship with individuals or entities on the Consolidated List. We were informed by the Legal Counsel that to date no such contract had been entered into.

At the same time, it was noted that, at this stage, there was no uniform procedure in place to ensure that such contractual or financial arrangements did not occur. The Secretary-General has decided to carry out a review of all internal procedures with a view to developing a uniform approach in that regard. The Committee welcomes that initiative and hopes to be informed of its progress on a regular basis. While acknowledging that this issue falls outside of the Committee's mandate, members have noted that a uniform procedure should apply to other sanctions regimes as well.

The Committee continues to place great emphasis on resolving the pending issues on its agenda. Currently the Committee has before it some 20 issues upon which no agreement has yet been reached. Those issues relate to requests for listing and delisting,

notifications under resolution 1452 (2002), and suggested technical updates to the Consolidated List.

The Committee acknowledges that a large number of outstanding issues could negatively affect its reputation, especially since some of those requests date back as far as April 2003 — which means that they have been pending for almost three years. For that reason, the revised guidelines include language to the effect that the Committee will review the status of pending issues at least once a month. It should be emphasized that holds are not the same as rejections. It is our hope that many of these pending issues will be resolved shortly.

The second issue I should like to address concerns the activities of the Monitoring Team. The Monitoring Team continues to work closely with the Committee. It is invited to attend almost all its meetings and makes comments and suggestions on a range of issues, as requested. The Monitoring Team has completed its fourth report, as required under paragraph (c) of Annex I to resolution 1617 (2005), and the Committee looks forward to considering it in the coming weeks. The Committee has also asked the Monitoring Team to assist in analysing the checklists to be submitted by States by 1 March 2006 at the latest so as to report on action that they have taken with respect names added to the Consolidated List between 29 July 2005 and 31 January 2006.

Let me underscore that an expert member of the Team, Ms. Christine Lee, accompanied me on my recent visit to Japan and Indonesia, and that, since I presented my last report to the Council, certain Team members have also travelled to Central Asia, East Africa and Australia to consider issues related to the effective implementation of the sanctions regime.

The Team has also held a further meeting of heads and deputy heads of the intelligence and security services of a group of Islamic countries. The Committee very much values their support for, and contribution to, its work.

Moreover, the Team has continued to strengthen its ties with international and regional bodies, including a particularly productive relationship with Interpol, and with other United Nations bodies. The Team is coordinating its travel plans with the Counter-Terrorism Executive Directorate (CTED), and a member of the Team joined the CTED in a visit to a Member State earlier this month.

The Monitoring Team has continued to encourage the 45 States that have still not submitted a report, as required by resolution 1455 (2003), to do so. Since October, three more States — Cameroon, Sierra Leone and Mali — have reported to the Committee. In addition, the Team has worked with the CTED and the experts supporting the 1540 Committee to identify a common approach to the 31 States that are late in reporting or have not reported at all to any of the three Committees, without, however, undermining the individual obligation of States to provide a report.

Finally, the Monitoring Team, together with the Secretariat, has finalized plans for a comprehensive database that is expected to be launched before the end of this month. It is hoped that this database will lead to a more efficient system of information-sharing with the CTED and with the experts who support the 1540 Committee.

Between 27 January and 4 February, I undertook a visit to selected countries, pursuant to paragraph 15 of resolution 1617 (2005). I visited Japan and Indonesia. Both countries have made remarkable progress in the struggle against Al-Qaida and the Taliban and associated individuals and entities. I appreciated having had the opportunity to be able to review with them the experiences both countries acquired.

As Council members, perhaps, may know, an individual included in the Consolidated List, Mr. Lionel Dumont, resided in Japan under a false identity for a couple of years before he was apprehended in Germany in 2003 and later sentenced in France. It was very interesting to hear the Japanese authorities' frank assessment of this case and to learn about the considerable changes made in the Japanese legal system to prevent such a case from recurring. I was personally impressed by the dedication shown by the Japanese authorities at all levels to ensure that their country would not become a target of terrorism. It was clearly understood that domestic security was intrinsically linked with international security, and, as a consequence, Japan is providing valuable technical assistance to the entire region and beyond. As a member of the Committee, Japan contributes to its work in an outstanding way, and I was glad to have the chance to express my gratitude for this to the Vice-Minister for Foreign Affairs of that country.

For its part, Indonesia's important role in the fight against terrorism in the region convinced me that it would be useful to visit Jakarta. In recent years, Indonesian authorities have neutralized a number of high-ranking terrorists, especially many of whom were followers of the Jemaah Islamiyah, an entity that, as you know, is included in the Consolidated List. This is a very good example of the will shown by all the officials of Indonesia with whom we met to aggressively address the problem caused by terrorism. I am pleased — and all members of the Group were impressed at the fact — that Indonesia has provided assurances that it will provide the Committee more identifying information about the persons included in the List. Such information will surely ease the implementation of sanctions by all Member States and dispel concerns expressed in Indonesia about the possibility of incidental targeting of individuals with the same names as those placed on the List.

Both in Japan and Indonesia, I was very favourably impressed with the high level of domestic and international coordination and cooperation. We believe that such cooperation is essential in the international fight against terrorism. I believe that the visits of the Committee underscore this fact and also help to bring awareness of the crucial role that the United Nations plays in this regard.

As far as the future work of the Committee and the Monitoring Team are concerned, considerable work lies ahead. In the coming months, the Committee will be considering the Monitoring Team's fourth report; it will continue its revision of the guidelines with respect to listing and delisting names; it will seek to reduce to a minimum the number of pending requests before the Committee, including consideration of the requests from Afghanistan to delist names of nationals of that country; it will ensure that our cooperation with Interpol is effectively executed; and it will develop new ties to other international and regional organizations.

The Committee also hopes to improve its website, which already contains much useful information for Member States and other users but which could be modified so as to be more user-friendly. Shortly, I intend to undertake another visit to selected States, and I plan to take the opportunity this time to focus on non-reporting countries, of which, unfortunately, there are still far too many.

Pursuant to paragraph 10 of resolution 1617 (2005), all Member States are called upon to report to the Committee by 1 March 2006 on specific actions taken with regard to individuals and entities added to the Consolidated List. I have sent a note verbale to all Member States reminding them of this requirement. In this note, I also included a checklist that Member States should use in this connection. The checklist is a new tool for the Committee in assessing the effectiveness of the sanctions measures, and I, therefore, strongly encourage all Member States to submit this checklist in due time.

Indeed, busy times lay ahead, and I wish to express my appreciation in advance to the members of the Committee, and to the Monitoring Team, in particular Mr. Barrett, who will have to dedicate much time and effort to successfully accomplishing these many tasks. As I have always stressed, the Committee will need to rely on the vital contributions of each and every Member State to carry out its tasks. The Committee remains open, speaking personally, to handle all pertinent questions that could be brought to the attention of Member States.

The President: I thank Ambassador Mayoral for his briefing.

I now give the floor to Ambassador Peter Burian, Chairman of the Security Council Committee established pursuant to resolution 1540 (2004).

Mr. Burian: I have the honour to brief the Security Council on the activities undertaken by the 1540 Committee since 4 January 2006, when I was appointed Chairman of the 1540 Committee, and to introduce the Committee's fourth programme of work, covering the period 1 January to 28 April 2006.

The main task ahead of the Committee is to complete by 31 March 2006 the examination of additional information provided by States in response to the letters addressed to them by the Committee in the second part of last year. During this period, the Committee and its experts will continue engaging in informal interaction with the Missions in New York and the designated Points of Contact in capitals in order to clarify, where necessary, any issue arising from their correspondence with the 1540 Committee, in particular on the issues related to national reports.

The examination of national reports is an important part of monitoring States' efforts to

implement resolution 1540 (2004). The outcome of this process will be addressed in the report on the implementation of resolution 1540 (2004) that the Committee has to submit to the Security Council by 28 April 2006. In this regard, I would like to inform the Council that 64 States have provided information additional to their first reports. All of that data, as well as any incoming first reports, will continue to be processed by the Committee.

In order to deepen its knowledge about States' efforts to implement resolution 1540 (2004), the Committee decided to use information offered by States to build a database to bring together information about States' legislation in one place. I am very pleased to announce today that the database has been finalized. It contains links to public sources of information about legislative and other regulatory measures relevant to the implementation of resolution 1540 (2004) from States that have reported to the Committee.

The database is constructed on the basis of information provided by those States in their reports submitted to the 1540 Committee, as well as on the basis of other relevant information that States have made public on their governmental websites or provided to international and regional organizations.

In the spirit of transparency, the Committee will share the database with States and seek their comments and consent to make public the information the database contains about their legislation. The Committee intends to place the database on its official website. It may be used as background data by countries seeking a legislative reference or information in their efforts aimed at establishing, developing, reviewing and maintaining appropriate effective legislation, in accordance with their national procedures, to implement resolution 1540 (2004).

The facilitation of further reporting and the conduct of outreach activities remain at the top of our agenda. Without all countries reporting, as the Council has called upon them to do, the Committee cannot provide a holistic and truly comprehensive report to enable the Security Council to assess the progress all Member States have made in implementing the resolution.

As of today, 67 Member States have yet to submit any report. I would like to call again on those who have not yet done so to submit their first reports without further delay. While the Committee would appreciate receiving further first reports at any time, it will be difficult to include, in the Committee's report to the Security Council, information submitted late.

Reporting is the best tool to allow the Committee to account for States' implementation efforts and to promote assistance for those who encounter reporting or implementation difficulties. The Committee recognizes that full implementation of the resolution will be a long-term undertaking that needs continuous dialogue and coordination.

The fact is that all States are vulnerable to being used by non-State actors who might want to gain access to weapons of mass destruction and their means of delivery. The best defence is for States to implement resolution 1540 (2004) in full by, for instance, enacting and enforcing effective national legal and regulatory measures. Otherwise, others could decide that their territories may be used for the shipping or other transit of weapons of mass destruction and related materials, for financing illegal activities or as a safe haven to broker the sale of materials related to weapons of mass destruction.

The Committee will continue to raise the issue of further reporting and to promote the implementation of resolution 1540 (2004) through outreach activities. I will continue to approach, formally and informally, all countries that have yet to report. In the coming days, I will send a new reminder to their respective Missions in New York, and I will also continue the practice of reaching out to the members of all regional groups in New York. I have already planned to meet the States members of the African Group next month. Informal interaction with other regional groups will follow.

The Committee, with the support of Member States and the Department for Disarmament Affairs of the Secretariat, will continue its outreach activities on the basis of existing financial resources. Seminars and workshops aimed at raising awareness of proliferation problems worldwide, facilitating further reporting and advancing the implementation process are useful tools for helping us to succeed in our work.

The three Committees consider the issues of improving reporting and late submission in a coordinated manner. We are making use of country visits by the Counter-Terrorism Committee (CTC) and the Committee established pursuant to resolution 1267 (1999) in order to raise the issue of reporting with the States that those bodies visit.

As the examination process of national reports continues, the Committee will interact and cooperate, as appropriate, with relevant international, regional and subregional organizations in order to facilitate the implementation of resolution 1540 (2004). Working relationships with those organizations are being developed, as appropriate.

The 1540 Committee will maintain close cooperation with the CTC and the 1267 Committee, as envisaged in resolution 1566 (2004) and the relevant statements by Security Council Presidents adopted during joint briefings in 2005. The Committee's experts work closely with their colleagues from the other Committees, making every effort to maximize synergies between and among the experts of those three Committees.

Transparency remains a priority for our work. The Chairman and the Vice-Chairmen will reach out on a regular basis to Member States. That will include work with the United Nations media, including through joint briefings with the Chairmen of the CTC and the 1267 Committee. The Committee will keep updating its dedicated website as a source of information on issues related to resolution 1540 (2004).

Within existing resources, the Committee will continue its practice of informing organizations outside the United Nations about its work by attending meetings and conferences. I will make full use of such opportunities to address, in particular, the issues of reporting and implementation.

In further examining the first reports and additional information from States, the Committee will collect up-to-date information on matters relating to assistance in order to contribute to the implementation of resolution 1540 (2004). I will continue to request States to update the information already provided to the Committee regarding their points of contact and States that have yet to do so to designate points of contact on assistance and to inform the Committee in that regard.

As I mentioned earlier, full implementation of resolution 1540 (2004) by all States is a long-term objective that goes beyond the current mandate of the Committee. As the end of the current mandate is approaching, the Committee is engaged in considering how best to continue its work to provide an enduring contribution to ensuring the non-proliferation of weapons of mass destruction, their means of delivery and related materials. On behalf of the Committee, I look forward to the cooperation of all States as the Committee goes forward with its work.

In conclusion, I would like to express my thanks and appreciation to Committee members for their contribution and to the group of experts of the Committee, as well as Secretariat staff, for their valuable support and efforts to promote and advance the agenda of the 1540 Committee.

The President: I thank Ambassador Burian for his briefing.

I invite those Council members who wish to take the floor to so indicate to the Secretariat.

Mr. Rogachev (Russian Federation) (*spoke in Russian*): I would like first of all to express my gratitude to you, Mr. President, for having convened today's meeting. I would also like to thank Ambassador Løj, Ambassador Mayoral and Ambassador Burian for their briefings on the activities of the Committees that they head.

The Russian Federation fully supports the development of coordination and cooperation between the three Security Council Committees that are tasked with combating terrorism, and considers those activities to be an important aspect of strengthening the anti-terrorist capacities of the United Nations and the Security Council.

We welcome the notable progress in enhancing the work of the Counter-Terrorism Committee (CTC), which has been made possible because of the activities of the Counter-Terrorism Committee Executive Directorate (CTED). The Committee's eighteenth work programme is based largely on the basic guidelines for the overall activities approved by the Security Council for the CTED in December 2005, including broad tasks reflecting the Committee's new and strengthened potential.

We support the programme's priorities, which indicate a shift towards a differentiated approach to reports submitted by States, and the initiatives to establish more effective coordination in providing technical assistance and strengthening systematic work with donors and deepening cooperation with international organizations.

We attach great importance to improving CTC field visits. We believe that the first round of those

visits has already enabled us to draw initial conclusions. We have clearly made progress in enhancing the quality of expertise with which States comply with the provisions of resolution 1373 (2001), in evaluating requirements for technical assistance and in forming a reliable pool of international and specialized organizations participating in the CTC's visits.

At the same time, we believe that we must devote greater attention to the mechanism for monitoring State compliance with the final recommendations made by the missions after they have completed their work. We must also make more effective use of the opportunities provided by such visits to develop the necessary dialogue with States on compliance with the provisions of resolution 1624 (2005), which is designed to combat incitement to terrorism and to prevent the spread of intolerant and extremist ideas. We hope that the CTC as a whole will become more actively involved in implementing the resolution's provisions, which are an important component of its mandate and truly assist States in their efforts to prevent terrorism and to create conditions that will strengthen dialogue among civilizations and religions.

We continue to attach priority to the work of the 1267 Committee, concerning sanctions on Al-Qaida and the Taliban. The threat posed by those groups to international peace and security remains real and recently has even increased. We must further intensify the coordinated international efforts to neutralize that threat and to ensure full and scrupulous compliance by all States, including the Government of Afghanistan, with their obligations under the relevant Security Council resolutions.

In that connection, we welcome the strengthening of the 1267 Committee's cooperation with Interpol, which is reflected in particular by specific steps for the issuance of joint special notices by the Security Council and Interpol regarding individuals on the sanctions list. We should also establish the practice of country visits by the Chair of the 1267 Committee and members of the Monitoring Team. Such visits enable us to become familiar with the situation on the ground and to report first-hand to Member States regarding the importance of this area of the Council's work. They allow for more substantive consideration of States' needs for technical and other types of assistance in implementing sanctions against the Taliban, Al-Qaida and associated individuals and entities. Russia, working together with its partners in the Security Council and all interested delegations, will continue to help further enhance the effectiveness of the activities of the 1267 Committee and the Monitoring Team.

Security Council resolution 1540 (2004) is an important non-proliferation and antiterrorist instrument aimed at preventing weapons of mass destruction from entering the black market and, above all, from falling into the hands of terrorists. Ensuring full compliance by all States with its provisions is our priority task.

We are satisfied with the work of the Council's 1540 Committee in analysing national reports. We support the proposals contained in the statement of its Chairman, Mr. Burian, with regard to working with States that have been late in submitting their reports, including by holding regional seminars and strengthening cooperation with international non-proliferation and export control mechanisms.

Because of the broad scale of the tasks set out in resolution 1540 (2004), the resolution's implementation should not be limited to an infrequent formal listing of accountabilities. Much painstaking work lies ahead of us to establish an improved national monitoring and non-proliferation regime. That is why, in November 2005, we spoke in the Security Council in favour of an initiative to extend the 1540 Committee's work for two more years. We agree with Ambassador Burian's view that, in view of the limited time remaining until the Committee's mandate expires, we should undertake practical work on this matter as soon as possible.

Mr. De Rivero (Peru) (*spoke in Spanish*): Peru firmly supports the Security Council's efforts to promote international cooperation in the fight against terrorism. My country has zero tolerance for terrorism. We forcefully and unequivocally condemn terrorism in all its forms and manifestations, wherever and by whomsoever committed. No ideological, political or religious reason justifies those who commit, contribute to, finance or defend terrorism.

Peru, which has experience in fighting terrorism and has overcome that scourge at the national level, believes that terrorism must be dealt with in a comprehensive manner, taking to account legislative aspects, but also the coordination of intelligence services and programmes to combat poverty and social exclusion. Firmness in the comprehensive fight against terrorism also requires firmness in preserving civil

liberties and full respect for human rights. Our experience has taught us that the basic task in counter-terrorism is to isolate terrorists from the population. That is why the State must be democratic and must not use force outside the law or in an indiscriminate manner.

Peru thanks Ambassador Ellen Margrethe Løj, Chair of the Counter-Terrorism Committee, Ambassador César Mayoral, Chair of the 1267 Committee, and Ambassador Peter Burian, Chair of the 1540 Committee, for their briefings. I take this opportunity to congratulate the three Chair on the important work that they have accomplished.

We welcome in particular the progress outlined by Ambassador Mayoral in cooperation established between the 1267 Committee and Interpol. Peru has repeatedly emphasized the need for action in that area. My country hopes that the cooperation between the 1267 Committee and Interpol will continue to be strengthened so that all individuals on the Consolidated List can also be incorporated into Interpol's database.

In that context, it is essential to improve the quality of the List. To do that, there should be sufficient information to identify individuals and supporting documentation for every case. The Committee should also review the listing and delisting of individuals, as well as the application of humanitarian exceptions in accordance with resolution 1452 (2002).

Peru is concerned about the lack of a consistent procedure to ensure that the United Nations does not enter into contractual relationships with individuals or entities on the consolidated list. We hope that the Secretariat will quickly complete the work it has begun and that the outcome will take into account not only the sanctions within the framework of resolution 1267 (1999) and subsequent related resolutions but all the sanction regimes administered by the Security Council.

Regarding the work of the Counter- Terrorism Committee, Peru supports the programme of work introduced by Ambassador Løj and agrees with the priorities it sets out. The review of the reporting regime is a fundamental change, and Peru firmly supports it. We consider that analysis of what individual States have achieved in the implementation of resolution 1373 (2001) will reveal the specific situation of each State. Case- by- case examination will indicate which tools are most effective for each country and will identify the needs for technical assistance. All of this will lay the foundation for improved dialogue between the Committee and States.

Peru supports identifying best practices for the implementation of resolution 1373 (2001). In our view, such best practices would not necessarily create international obligations per se.

My country stresses the importance of the work of the Committee established pursuant to resolution 1540 (2004). Preventing non- State actors from acquiring weapons of mass destruction is a genuine concern. Peru has submitted its national report on implementation of resolution 1540 (2004) and urges States that have not yet done so to make whatever efforts are necessary to submit their reports promptly. Review of the reports will enable the Committee to identify areas in which the States may need technical assistance.

In the last quarter of 2006, Peru intends to organize in Lima, with the support of the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, a regional seminar on the implementation of resolution 1540 (2004). The seminar will follow up on a similar event that took place in Buenos Aires in 2005. Currently, we are awaiting a positive response from friendly Governments so that we can get the financing under way.

My delegation considers the upcoming discussion on updating the mandate of the Committee to be of the utmost importance, and we will actively participate in it.

My delegation would like to highlight the importance of cooperation and coordination among the three Committees and their teams of experts. It is important that the Analytical Support and Sanctions Monitoring Team, the Counter-Terrorism Committee Executive Directorate and the 1540 Committee's group of experts continue to coordinate their work, especially with regard to the exchange of information, the organization and programming of visits and the identification of areas in which technical assistance is needed.

We would not want to conclude without expressing our wish that at the next meeting of the Ad Hoc Committee established by General Assembly resolution 51/210, to be held at Headquarters from

27 February to 3 March, we will be able to conclude — or make substantial progress in — the negotiations on a draft comprehensive convention on international terrorism. We appeal to all Member States for flexibility so that the remaining differences can be resolved.

Mr. Wang Guangya (China) (*spoke in Chinese*): The Chinese delegation would like to thank Ambassador Mayoral, Ambassador Løj and Ambassador Burian for their presentations on the work of the Committee established pursuant to resolution 1267 (1999), the Counter- Terrorism Committee (CTC) and the Committee established pursuant to resolution 1540 (2004) respectively. I should like once again to congratulate Ambassador Burian on his assumption of the important post of Chairman of the 1540 Committee.

Over the past three months, the 1267 Committee partly completed its revision of the guidelines for the conduct of its work and started the initial stage of its cooperation with Interpol; the Counter- Terrorism Committee Executive Directorate (CTED) was reviewed by the Security Council and became fully operational; the CTC made progress in clearing its backlog and in facilitating technical assistance; and the 1540 Committee not only carefully considered reports submitted by Member States but also played an active role in coordinating the assistance provided to Member States in their implementation of the resolution. All of that is conducive to the effective worldwide implementation of the relevant Security Council resolutions and to the strengthening of the Security Council's constructive role in the international struggle against terrorism. China would like to express its appreciation for the outstanding work carried out by the three chairpersons and the Committees under their leadership.

We believe that in the ensuing stage the 1267 Committee should, in connection with the revision of its work guidelines, further improve listing and delisting procedures so as to ensure the fairness and integrity of the consolidated list and that it should work to reduce the number of pending issues. The CTC should continue its efforts to help developing countries build their counter- terrorism capacity and should expedite the implementation of the provisions of resolution 1624 (2005). The 1540 Committee should focus its attention on the key task of producing by April a comprehensive, objective and balanced report. Moreover, it is our hope that the three Committees and their subsidiary bodies — the Monitoring Group, the Executive Directorate and the group of experts — will strengthen their cooperation and coordination and put forward as soon as possible practicable recommendations for improvements in areas such as the simplification of reporting mechanisms.

Terrorism continues to wreak havoc in various parts of the world. Numerous innocent civilians, including many Chinese citizens, have been deprived of their right to life in a most cruel manner. Bloody events have shown once again that the threat of terrorism is ever- present and that no country can hope to remain unaffected by minding its own business. A poisonous snake will hurt people no matter what disguise it wears. If one pays attention only to combating terrorist individuals or entities endangering one's own country while turning a deaf ear to the legitimate demands of other countries or even blocking other countries' efforts, or if one is focused only on combating individuals or entities currently plotting terrorist attacks while showing leniency towards, or even deliberately shielding, terrorist forces which lie low and conceal their true colours, then there is little hope that international anti- terrorism cooperation can develop smoothly and continue in the future. Only when countries regard terrorist forces threatening other countries as their own enemies and join hands with other countries in effectively combating such forces will all the gaps in the international struggle against terrorism be filled. Only then can there be hope that this scourge on mankind will finally be eliminated.

Finally, I wish to reiterate that resolutely fighting terrorism in all its forms and manifestations is both a common obligation of all countries and the basis on which the Security Council can deepen counter-terrorism cooperation. China will continue to take an active and constructive approach in promoting genuine and effective implementation of the relevant resolutions of the Security Council.

Mr. Oshima (Japan): I would like to thank the Chairpersons of the Al-Qaida and Taliban Sanctions Committee, the Counter-Terrorism Committee (CTC) and the 1540 Committee for their briefings today, as well as to express our appreciation for their hard work and achievements in their respective Committees. I also wish to congratulate Ambassador Peter Burian of the Slovak Republic on his assumption of the chairmanship of the 1540 Committee and to thank his

predecessor, Ambassador Mihnea Motoc of Romania, for his remarkable contributions during his tenure.

My Government firmly upholds its position on the fight against terrorism. Whatever the purposes of terrorists may be, terrorism must never be condoned. We strongly condemn terrorism in all its forms and manifestations.

One of the key issues in the follow-up of the 2005 World Summit Outcome as regards counter-terrorism is to reach agreement on the pending comprehensive convention on international terrorism. We have come fairly close to reaching agreement on the convention. We very much hope that, at next week's resumed session of the General Assembly's Ad Hoc Committee on International Terrorism, all Member States will strive to achieve agreement at an early date. At the same time, we must act in parallel in the Security Council by promoting greater cooperation among the Committees charged with fighting terrorism, so as to enhance the Organization's overall counter-terrorism policy.

Another point I wish to stress is that States not members of the Security Council follow the activities of the Council's subsidiary organs with great interest, including those of the three counter-terrorism-related Committees. They do so because the activities of those Committees affect the concerns and interests of non-members in important ways. Transparency and inclusiveness are therefore critical. I welcome the fact that the briefings of the Chairs of the three Committees are taking place in a public meeting. I also welcome the efforts being made to improve the websites related to the activities of those Committees. They serve as an effective means to enhance transparency and to respond to the interests and concerns of Member States.

In that connection, let me say that I have recently been appointed Chair of the Informal Working Group of the Security Council concerning the Council's documentation and other procedural questions. In that capacity I intend to work closely with members of the Council and to listen to non-members' views in order to help improve the working methods of this body in all its aspects — including subsidiary organs such as those under discussion — to bring about greater transparency and inclusiveness in the work of the Council in general, as required by our leaders in the outcome document. To that end, we hope to be able to draw upon the opinions and views expressed in today's discussion.

We are pleased that the three Committees are further broadening the range of their activities, and are doing so with resolve and consistency.

First, with regard to the Al-Qaida and Taliban Sanctions Committee, it is necessary to continue to search for ways to make Council-imposed sanctions more effective, as they are unquestionably an indispensable part of the terrorism-prevention measures being undertaken. My Government is therefore grateful for the recent visit to East Asia — which included Japan — by the Committee's Chairman, Ambassador Mayoral of Argentina. That visit was of benefit to my country and, I believe, the region as a whole, in its efforts to improve effective implementation of sanctions measures.

Among the measures for which the Committee has been responsible recently was the issuance last December of the first set of Interpol-Security Council special notices. That was the result of cooperation between the Committee and Interpol. It was a significant development, given that linking the Committee's Consolidated List with related Interpol resources gives Member States access to a broader range of information and enables them to implement travel restrictions more effectively.

As discussed during the Chairman's visit to Asia, it is essential to increase the precision of the Consolidated List by inviting Member States to submit any additional related information they may have. For its part, Japan is taking preventive measures that include the full implementation of the recommendations of the Financial Action Task Force, as stipulated in Council resolution 1617 (2005). We are also strengthening our travel-ban measures.

The fourth report of the Monitoring Team, which was submitted to the Committee recently, includes recommendations to improve sanctions. My Government looks forward to the discussion of that report in the Committee in the near future.

Secondly, the role of the Counter-Terrorism Committee (CTC) remains crucial in enhancing the capacity-building of Member States in the area of counter-terrorism. We welcome the fact that the technical-assistance policy guidelines approved by the CTC in December last year are now being

implemented. As Ambassador Løj, the CTC's Chairperson, has mentioned, the conditions and requirements are different in each individual State, making it inevitable that the process involves some degree of trial and error. We hope, however, that the CTC will accelerate its work, so that requests from Member States for technical assistance will be acted upon as quickly as possible.

In that connection, we are pleased that, as a result of the comprehensive review conducted in December last year, we now have a system to enable the Counter-Terrorism Committee Executive Directorate (CTED) to engage vigorously in activities on the basis of the policy guidelines approved by the CTC. We hope that, under the leadership of Executive Director Rupérez, the CTED will facilitate work between States requesting assistance and the donor community, thereby making tangible progress in building the counter-terrorism capacities of Member States. We also hope that the best possible use will be made of the limited resources for State visits. Furthermore, we look to the CTC to pursue closer cooperation with the Counter-Terrorism Action Group and with relevant international, regional and subregional organizations in carrying out its mandate.

Thirdly, we welcome the fact that the 1540 Committee has approved its first programme of work under the new Chair. We look forward to examining the second set of reports submitted by Member States and to intensifying our discussions on effective ways by which technical assistance can be provided before the Committee's current mandate expires at the end of April. The role the Committee is expected to play under its extended mandate needs to be determined in the light of its work record over the last two years. We intend to participate actively in that discussion.

Finally, it is clear that all the critical tasks entrusted to the three Committees cannot be fully addressed without the expertise and dedication of the experts who serve in each body. My delegation would like to express its appreciation to the experts on the Monitoring Team of the Al-Qaida and Taliban Sanctions Committee, including Mr. Richard Barrett, the Coordinator, the members of the CTED and the experts on the 1540 Committee for their unstinting efforts and excellent work. We would also like to take this opportunity to thank Mr. Guillermo Kendall of the Permanent Mission of Argentina, who has contributed immensely to the work of the Al-Qaida and Taliban Sanctions Committee in assisting the Chairperson, as he has recently assumed another important post.

My Government will spare no effort in cooperating with other Member States in advancing the work of the three Committees so that the Security Council's crucial work on counter-terrorism will be further enhanced.

Mr. De La Sablière (France) (*spoke in French*): At the outset, I, too, should like to thank the Chairmen of the three Committees for their reports. It is truly most useful to be able to address all the Council's counter-terrorism activities in a single meeting. It allows us to ensure due understanding of and coordination in the Committees' work.

I fully agree with the statement to be made by the presidency of the European Union, which particularly emphasizes the fact that respect for human rights is necessary to ensure the efficiency and legitimacy of the fight against terrorism.

I should like to refer to a few specific aspects of the work of the Committees.

With regard to resolution 1540 (2004), my delegation has already had the opportunity to affirm France's commitment to that tool, which supplements existing multilateral non-proliferation instruments, in particular in addressing the issue of access of non-State actors to weapons of mass destruction and their means of delivery. When we refer to non-State actors, we of course mean terrorists, as well as traffickers who play a dangerous key role in proliferation activities.

In that regard, resolution 1540 (2004) is an important long-term tool of our collective security. France favours renewing the mandate of the 1540 Committee for at least two years, and I believe that it is time for the Security Council to work on that renewal. It would send a useful signal of our common commitment to non-proliferation. The unity of the Security Council on that objective is crucial and should be demonstrated forthwith.

As to the Committee's work, France attaches great importance to its activities to promote the adoption by States of the necessary measures to meet their obligations under the resolution. That cooperative approach has helped States to make the non-proliferation objectives of the Security Council their own. It is in pursuit of that path that the Committee will be able to undertake useful work in its second

term. That approach is in utmost conformity with resolution 1540 (2004), which draws attention to the promotion of dialogue and cooperation in the field of non-proliferation and stresses the issue of assistance.

The resolution is more than just the legally binding decisions it contains; it also makes political appeals. For instance, it calls on States to work to universalize the non-proliferation instruments to which they are party and to discharge their obligations under such instruments. It recommends that they also strive to promote non-proliferation. Such messages demonstrate that, ever since the resolution's adoption, the Security Council has sought to prioritize a cooperative approach to its proliferation objectives. Those provisions allow the Committee to use the tools it needs to pursue its work harmoniously, and I hope that the report to be made by the Committee will cover all those issues.

The Al-Qaida and Taliban sanctions Committee, established pursuant to resolution 1267 (1999), has undertaken important work to improve its working methods on the basis of resolution 1617 (2005). The Committee's guidelines have been partially revised with a view to creating greater efficiency and transparency. The information on the consolidated list drawn up by the Committee will now be rigorous and more accessible. The review of the guidelines should be concluded as soon as possible, especially with regard to provisions for listing, delisting and humanitarian exemptions, so as to make such procedures more transparent. Greater transparency would meet the need for justice and enable us to enhance the Committee's credibility and the Member States' understanding of its work and, hence, their own cooperation. It would also meet the need for efficiency.

Above and beyond procedures relating to the listing of individuals and entities concerned, we should undertake the effective implementation of sanctions formulated in resolution 1617 (2005). The development of the Committee's cooperation with Interpol is very useful in that regard. It enables the Committee to have recourse to additional information on individuals and entities on the list, and in particular to mobilize the Interpol network in the implementation of sanctions. We need to further enhance that cooperation, and especially to increase the number of notices that are accessible on the Interpol network.

In December, we approved a far-reaching action plan for 2006 for the Counter-Terrorism Committee (CTC) and its Executive Directorate. I should like to thank my colleague Ambassador Løj, Chairman of the CTC, for directing its work in its first quarter. The Executive Directorate is now operational. The backlog in the consideration of reports has been caught up and we can now bring our efforts to bear on other aspects of the mandate arising out of resolution 1373 (2001).

It is especially important that we make progress in the area of reporting. Too many States are tardy. We should help them, with the support, inter alia, of the United Nations Office on Drugs and Crime and regional and subregional organizations. Moreover, we should adapt reporting requirements to specific situations and make progress on the concept of consolidated reports.

The field visits begun last year have met the expectations of the countries visited and of the Counter-Terrorism Committee. They should be undertaken more frequently and become a priority means of evaluating performance and need. The visits should involve international and regional organizations with the necessary expertise or the potential to offer technical assistance, such as the European Union and the Counter-Terrorism Action Group created by the G-8 at the Evian summit.

The spirit of dialogue among States that has guided the CTC should be reflected in greater transparency in its activities. The communications strategy it has just adopted and the publication of its activities and increased contacts with States, both in New York and at conferences and visits, should help to that end.

In conclusion, I recall the importance my country attaches to mobilizing all United Nations bodies and agencies to combat terrorism.

Mr. Thomson (United Kingdom): Like others, I would like to begin by thanking the three Committee Chairmen for their detailed briefings, as well as the experts and staff who support the Committees.

My delegation fully associates itself with the statement to be made by Ambassador Pfanzelter of Austria on behalf of the European Union.

We find these regular quarterly briefings to be very helpful. The level of detail and focus that delegations have already generated in this discussion

underlines, I think, their value. It demonstrates, we believe, the key importance of all three Committees as part of the collective efforts that the United Nations and the international community are making to fight terrorism.

Many good points have already been made. I just want to make some brief ones on each Committee and then say something about all three Committees.

Turning first to the Al-Qaida and Taliban Sanctions Committee, my delegation is pleased at the completion of several major tasks by the Committee in the last reporting period. We would highlight in particular the important partial revision of the Committee guidelines completed in December. I look to the Committee to conclude its revision of the guidelines by introducing improved guidance on listing and delisting procedures in the near future. I would echo the Ambassador of France's points in that area.

I should like also to commend the Committee and in particular its Monitoring Team for their work with Interpol. The issuance of Interpol's special notices for those on the Consolidated List should prove to be a valuable tool for enforcement and border authorities.

During the next reporting period, we look forward to the Committee's completing its consideration of the Monitoring Team's fourth report.

Turning to the work of the Counter-Terrorism Committee (CTC), I want to underline how useful the Council's review of the Counter-Terrorism Executive Directorate (CTED) was in December last year. That process set some clear priorities and direction for the year ahead of us, as well as an agreement that a further review would be appropriate at the end of 2006.

The CTED is at last beginning to function as we planned when we created it, and I am pleased to see that the CTC, with the aid of the CTED, is intensifying its dialogue and interaction with Member States. I am also glad to note that the CTC is currently reviewing the reporting cycle and procedures for that dialogue in order to take into account the varying needs and situations of individual Member States.

The United Kingdom attaches real importance to clear objectives for the CTED that will enable us to measure and demonstrate the difference the Council is making. We look forward to hearing very soon, in very concrete terms, what impact the CTED has made in the world outside New York.

We are also pleased that the CTED is beginning work on the report on implementation of resolution 1624 (2005) that it needs to submit to the Council in six months' time. The United Kingdom intends to anticipate the request for information from the Committee under resolution 1624 (2005) and proactively submit the information required, and we would like to encourage others to do the same.

I wish also to say a few words about the 1540 Committee. First of all, I would like to thank the outgoing Committee Chairman, Ambassador Mihnea Motoc, for his contribution to the Committee over the last two years. His experience and thoughtful leadership of the Committee have been a great asset to the Council. Of course, I heartily welcome Ambassador Burian to his new responsibilities as Chairman of the Committee.

That brings me to the question of how long Ambassador Burian will continue to have a job. The United Kingdom strongly supports a renewed mandate for the 1540 Committee. I want to say, and underline, that resolution 1540 (2004) remains a key strategic piece of the international community's defences against the threat of the proliferation of weapons of mass destruction, in particular to non-State actors. We see no need to review the basic framework of the resolution. It will remain a vital tool in the international non-proliferation and counter-terrorism effort, with or without a Committee. But we see a lot of work for the Committee still to do that it cannot complete by the end of April.

Thanks to the contributions of Member States, the Committee has amassed a significant amount of information. However, information alone is not enough, and it is not the purpose of resolution 1540 (2004). The key challenge of the resolution, in our view, still lies ahead — translating that information and that knowledge of the current situation into improved implementation of the resolution itself. We know that that cannot be achieved overnight. It is a challenge for all Member States, for the 1540 Committee and for the Council.

In looking at the new mandate, therefore, we need to think about those issues that will promote implementation — for instance, how to unlock technical assistance for States that need it, including the potential for assistance from international and regional organizations. The United Kingdom has

supported one regional seminar in the field of resolution 1540 (2004), and we would like to see more of that sort of outreach activity. The key should be how we can use the Committee to make a difference on the ground.

Finally, looking at all three Committees, I want to reiterate that the United Kingdom remains committed to getting results from the Council this year on the summit conclusion of September last that the Council should consider ways to strengthen its monitoring and enforcement role in counter-terrorism, including by consolidating State reporting requirements, taking into account and respecting the different mandates of its counter-terrorism subsidiary bodies. In the same context, we welcome the efforts that the three Committees and their respective experts are making to ensure that their work with States is better coordinated, including with respect to information-sharing and visits. We hope that this coordination will increase.

I wish also to welcome Ambassador Oshima's interest in this area in his capacity as Chairman of the Informal Working Group of the Security Council concerning the Council's documentation and other procedural questions.

Finally, I want to add that the United Kingdom attaches importance to the United Nations counter-terrorism effort as a whole, including all the membership and all the United Nations family. United Nations efforts are an essential part of the global fight against terror. We therefore look forward to receiving the Secretary-General's revised strategy and his proposals to improve United Nations capacity and coordination in helping States to combat terrorism. My Government, of course, stands ready to play a full part in the upcoming General Assembly debate on this issue.

Mrs. Telalian (Greece): We welcome today's joint briefing, and we would like to express our appreciation to the Chairpersons of the Al-Qaida and Taliban Sanctions Committee, the Counter-Terrorism Committee (CTC) and the Committee established pursuant to Security Council resolution 1540 (2004) — Ambassador César Mayoral, Ambassador Ellen Margrethe Løj and Ambassador Peter Burian — for their tireless efforts to improve the work of their respective Committees.

At the outset, I would like to associate myself with the statement to be made later on in the debate by the Permanent Representative of Austria on behalf of the European Union.

The fight against terrorism is an ongoing process, as terrorism continues to pose a serious threat to our security, to the values of our democratic societies and to our rights and freedoms. The indiscriminate killing of civilians can never be justified, even by the worthiest of causes, and there can be no impunity for such criminal acts.

The United Nations plays a leading role in containing terrorism and in legitimizing a robust multilateral response to this phenomenon. However, in order for such a response to be effective in the long run, it has to be consistent with the very nature of democracy, the rule of law and respect for universal human rights and freedoms.

In the fight against terrorism, a clear definition of terrorism is necessary to provide legal and moral clarity and to create conditions for real unity in the global struggle against this scourge. For this reason, we strongly urge the Ad Hoc Committee on terrorism, which is meeting next week, to make a real effort to finalize the negotiations on the comprehensive convention on international terrorism, so that this convention can be adopted during the sixtieth session of the General Assembly.

Likewise, we support the adoption and implementation of a comprehensive United Nations strategy to fight terrorism, based on the elements proposed by the Secretary-General.

We welcome the efforts made by the Al-Qaida and Taliban Sanctions Committee to improve the quality of its List and to revise some of its Guidelines, taking into account the recommendations of the Analytical Support and Sanctions Monitoring Team. We hope that the Committee will soon finalize the revision of its Guidelines concerning listing and delisting requests. We urge the Committee to continue its consideration of this issue, taking also into account important work that has been carried out outside the Committee in this respect. In our view, the incorporation of international due-process standards within the listing and delisting procedures will increase the effectiveness of sanctions and the credibility of the Committee. In this connection, we would like to reiterate our position concerning the need to establish a mechanism to review, as a last resort, cases of individuals and institutions claiming to have been

wrongly placed or retained on the watch-lists of the Committee.

We welcome and support the eighteenth work programme of the CTC for the coming three months. With the valuable assistance of a fully staffed Counter-Terrorism Executive Directorate (CTED), which has recently been declared operational, the Committee will be better able to pursue its mandate in the future. We thank the head of the CTED, Mr. Javier Ruperez, and his team for their continuous efforts in support of CTC.

The elimination of the backlog of State reports is a positive development, since analysing State reports intensifies the dialogue with the States concerned and improves their ability to implement resolution 1373 (2001). The CTC should continue to carry out this dialogue with the same cooperation, transparency, even-handedness and consistency in approach. We are pleased that the CTC has decided to streamline its reporting procedures, which will allow it to have a more substantial interaction with States.

Another positive development is the elaboration by the CTC of policy guidelines concerning its role in facilitating the provision of technical assistance by donor States to States in need of such assistance, after identifying and prioritizing such needs. The implementation of these guidelines should be a high priority for the CTC.

The Committee has carried out a number of visits in Member States with their consent; these are useful in allowing the Committee to better assess the situation on the ground and identify existing implementation gaps. The Committee should now focus on the proper follow-up to these visits.

Now that the CTC has taken important steps that will allow it to carry out its important mandate, it is significant that the Committee take a more active stance on human rights issues by addressing these issues in the implementation of resolutions 1373 (2001) and 1624 (2005). In this regard, we believe that the Committee should complete at the earliest its discussion on how to strengthen the human rights perspective in its future work.

We welcome the progress made by the Security Council Committee established pursuant to resolution 1540 (2004), particularly in examining State reports. We urge late submitters to fulfil their obligations and to fully cooperate with the Committee. Likewise, we consider that the establishment of a legislative database concerning legislative and other measures relevant to the implementation of resolution 1540 (2004) is a useful development that will enhance transparency and will provide practical guidance to States in implementing the aforementioned resolution.

We also thank the Committee for its close cooperation with the CTC and the Al-Qaida and Taliban Sanctions Committee. Despite the different mandates of these Committees, we believe that better coordination and interaction among them will maximize their effectiveness and will also assist States in better implementing the aforementioned resolutions.

We attach great importance to the work carried out by the 1540 Committee — namely, to ensure the non-proliferation of weapons of mass destruction, their means of delivery and related material. As the current mandate of this Committee comes to an end, we would like to support the prolongation of this mandate in order to allow it to accomplish its task.

Nana Effah-Apenteng (Ghana): I wish, first of all, to thank the Chairpersons of the Counter-Terrorism Committee (CTC), the 1267 Committee and the 1540 Committee, Ambassadors Ellen Margrethe Løj, Cesar Mayoral, and Peter Burian, respectively, for their comprehensive briefings and for their leadership.

The Counter-Terrorism Committee, established by United Nations Security Council resolution 1373 (2001) to monitor the implementation by States of anti-terrorism measures adopted by this Council, is the foremost tool in the arsenal of the international community in the fight against international terrorism. On this point, we need to stress the importance of getting all Member States to support the work of the Committee through cooperation and by providing the necessary resources.

Within this context, we welcome the process of the revitalization of the CTC and the consequent establishment of the Counter-Terrorism Executive Directorate (CTED) under United Nations Security Council resolution 1535 (2004) to give expert advice and analysis to the CTC in the execution of its mandate. In this connection, we are happy to note that the CTED is now fully operational and has taken up its responsibilities.

The core responsibility of the CTC in its monitoring role is to collate and evaluate States'

reports in order to assess the level of their implementation of Security Council resolution 1373 (2001). It is evident that, while the commitment to fight international terrorism is not lacking, and is in fact universal, compliance with resolution 1373 (2001) has not been perfect. This could be due to the following factors; first, the lack of a sense of immediacy of the problem; and, secondly, the lack of capacity to meet the reporting requirements in some countries.

On the first point, there is a need for all Members to be sensitized to the problem of terrorism as a universal plague from which no individual, and no country, is immune. Any feeling that the problem is remote is a dangerous illusion. It is this kind of false sense of security that provides opportunities for terrorism.

On the question of capacity, my delegation wishes to express its appreciation to the CTC, CTED and its Secretariat for the advice and assistance they have been offering to individual countries from the developing world so as to enable them to meet their reporting obligations. In this regard, we wish to suggest that, in addition to CTC/CTED assistance to countries and country-to-country assistance, the CTC should consider organizing regional and subregional seminars for countries within particular areas. This one-stop approach would be a very efficient method of channelling technical assistance, where experiences, best practices and common problems could be shared.

My delegation also wishes to call for the simplification of the reporting regime to make it more user-friendly. It is necessary to avoid a situation of reporting fatigue. For this reason, we call on the CTC, in consultation with the 1267 and 1540 Committees, to speed up the task of consolidation of the three reporting regimes, as recommended by the 2005 World Summit Outcome (resolution 60/1). We believe that this will not only help in coordinating the work of the three Committees for more efficient results, but will also ease the reporting burden on States.

The war against international terrorism requires all States to muster the necessary political will, human and material resources to design innovative and effective approaches to confront and neutralize this menace. The only way to achieve this is to sustain our momentum and pressure, a task in which the CTC is playing a prominent role as the vanguard. It will therefore need our strong commitment and support in the coming years.

With regard to the Al-Qaida and Taliban Sanctions Committee, my delegation is pleased to note that work is proceeding on the revised Guidelines of the Committee and that agreement has been reached on a partial revision. We believe that it is necessary for transparency and clarity in the Committee's working methods and decision-making process that the process be pursued to its logical conclusion: the complete revision of the guidelines.

Since its inception, the Taliban and Al-Qaida sanctions Committee, set up pursuant to resolution 1267 (1999) with the aim of implementing sanctions targeted at Al-Qaida, the Taliban and associated entities, has had an important impact on the global war on terror. That achievement can, undoubtedly, be attributed not only to the commitment of its membership and its secretariat, but also to the cooperation of Member States.

As a specific, operational body with its sanctions targeted at identified individuals and entities, the Committee needs to develop a strong global network of contacts with law-enforcement and security agencies at both the bilateral and multilateral levels so that it can discharge its mandate effectively. That requires serious cooperation and commitment from all Member States — which, we are gratified to note, is not lacking.

It is in that context that we support the increased cooperation and the formalized arrangement between the Committee and Interpol, which culminated in the issuance by Interpol, on 6 December 2005, of the first four Interpol-United Nations special notices on individuals placed on the consolidated list. We hope that this arrangement will be broadened to cover cooperation with other law enforcement agencies at the multilateral, regional and subregional levels.

The steps being taken to ensure that the United Nations system does not inadvertently enter into any contractual relationship with any individual or institution on the consolidated list are necessary, since such an unfortunate situation would undermine the credibility of the system of anti-terrorism measures that is in place. The attempt to review internal procedures with the aim of developing uniform procedures for all sanctions regimes is, therefore, timely and should be pursued as a matter of urgency.

The issue of the listing and delisting of individuals and entities with regard to the consolidated list, which is at the core of the mandate of the 1267 Committee, raises certain pertinent questions which will have to be tackled boldly if we are to avoid the perception of lack of transparency, which could damage the credibility of the Committee.

There is no doubt that, under Chapter VII of the Charter, Member States are under an obligation to comply with sanctions imposed by the Security Council. However, the methodology of the Committee's listing process has led to serious problems, with some Member States being under the mistaken impression that criminal proceedings in national courts are necessary before action can be taken against listed individuals. It is important that the Committee engage with Member States on this point so as to ensure that the discretion or judgement of national courts is not substituted for a decision of the Committee. Differing procedures in different countries on listing and delisting introduce a discriminatory element in the enforcement measures under resolution 1267 (1999), thus weakening the effectiveness of the resolution.

Linked to this is the issue of confidentiality. Can the Committee raise the issue of confidentiality to deny a listed individual the right to know the basis of his designation? It is clear that the Committee will have to find a way to balance carefully the need for confidentiality and the requirements of due process. In this regard, we note with concern a number of lawsuits by listed individuals raising issues of due process, a development which could undermine the credibility of the Committee if the causes of the lawsuits are not addressed. That calls for an in-depth review of the listing and delisting procedures. The Committee will have to put listing requests under more rigorous scrutiny in the future. In that task, the cooperation and understanding of all Member States is essential.

Finally, on the 1540 Committee, my delegation wishes to refer to the underlying reason for the adoption of resolution 1540 (2004), which was the grave concern of Member States about the menace of terrorist groups acquiring weapons of mass destruction. It therefore behoves us all to ensure the achievement of the ultimate objective of the resolution. Thus, while acknowledging the positive efforts of the Committee, my delegation cannot but admit that much remains to be done, given that 67 countries have yet to submit their reports. In my delegation's view, this is not a reflection of inertia on the part of those countries, many of which are African, but an indication of their well-known lack of capacity to meet the reporting requirements of the resolution.

It is for that reason that my delegation welcomes the decision by the Committee to prioritize outreach activities in various regions, since the Committee has to receive the national reports of all countries before it can provide a comprehensive omnibus report to the Security Council so as to ensure that the Council can assess the progress of implementation of the resolution by Member States. In this regard, I wish to inform the Council that my Government is seriously considering a request to host one such programme for Africa.

Those programmes are an imperative, as they offer forums for in-depth discussion on substantive and procedural issues, as well as for exchanges of views among Member States on the implementation of resolution 1540 (2004). They also create opportunities for members of the Committee to appreciate the practical challenges inhibiting the submission of reports by Member States that have yet to do so, thereby enabling the Committee to take effective measures to surmount those problems. The submission of reports is not an end in itself; it is a means towards the attainment of the ultimate goal. The crucial aspect lies in the implementation efforts. We are therefore encouraged by the determination of the Committee to use outreach activities to assess States' implementation and to facilitate assistance to those facing various constraints in that regard.

I would be remiss if I failed to pronounce a positive assessment of the introduction of the legislative database to be used as a supplementary source of information and of the Committee's decision to make the information available to Member States.

In conclusion, my delegation wishes to urge all Member States to cooperate fully with the Committee in the execution of its mandate, which is crucial to our common determination to contain a grave challenge to international peace and security in the twenty-first century.

Mr. Okio (Congo) (*spoke in French*): I am very grateful to you, Mr. President, for having convened this meeting on the sensitive issue of counter-terrorism to consider the activities of three subsidiary bodies of the Council.

We listened very attentively to the statements made by the chairpersons of the Committees — Ambassador Løj, Ambassador Mayoral and Ambassador Burian — to whom we pay tribute for the professionalism they have demonstrated in carrying out their respective mandates. We know that they have the assistance of eminent experts, and we would also like to express our appreciation to them.

There is no threat today that is as present, as pressing and as elusive as terrorism, because it can strike anywhere, without discrimination. We often speak of it as being blind. But it is a kind of Hydra of Lerna: the seven-headed serpent of mythology whose heads grew back if cut off. It is a very real threat that demands the constant vigilance of all of us and requires concerted solutions at the international level.

I therefore welcome the relevance of the provisions of resolutions 1267 (1999), 1373 (2001) and 1540 (2004), as well as all other resolutions whose implementation by Member States would considerably reduce the scope of the terrorist activities.

With regard to the briefings provided by the three chairpersons, I would like to make just a few brief comments reflecting my delegation's concerns.

My first comment relates to the strengthening of national capacity. One of the most important functions of the counter-terrorism Committees is to help States to build their capacity to combat terrorism. The actions of the counter-terrorism Committees are directed principally at State actors and, from what we have heard and know about the genuine threats that terrorism poses for the whole of the international community, it is clear that such actions need to be further strengthened.

The statements made by the chairpersons of the three Committees made it clear that there are still many delays in the submission of reports. The reasons for such delays should be carefully studied so that appropriate solutions can be found. I would like to stress the necessity of providing assistance to States that request it so as to help them to develop their national capacities. Here, my delegation urges better coordination of efforts to make available the best practices of codes and norms permitting compliance with the obligations arising from the counter-terrorism resolutions.

The 1540 Committee's establishment of a legislative database containing links to public sources of information on legislative and other measures taken by States at the national level is a commendable initiative. We hope that it will very soon become a valuable source of information for States that need it, with a view to improving their internal procedures concerning the implementation of resolution 1540 (2004).

We know, for example, that many developing countries have not yet acceded to the 13 international conventions and protocols on terrorism. The legislative database could be very useful in improving performance in that regard. We encourage any other initiative to enhance States' awareness — including through their permanent missions in New York — regarding the need to implement the resolutions on terrorism.

My second comment concerns interaction among the three Committees and strengthening international cooperation. Better interaction among the counter-terrorism Committees and their expert groups, as envisaged in resolution 1566 (2004) and emphasized in presidential statement S/PRST/2005/64 of 21 December 2005, would promote optimal results. Likewise, increased cooperation with regional and subregional organizations would help to improve the procedures for the implementation of the various resolutions on terrorism. We therefore encourage the development of those kinds of contact.

Here, my delegation appeals once again for the strengthening of international cooperation at all levels. Cooperation between the counter-terrorism Committees and the international financial institutions and functional organizations — such as the World Customs Organization, the International Civil Aviation Organization and the International Maritime Organization — to discuss areas of interest, including money-laundering, the transfer of sensitive materials, et cetera, and also to finance and provide assistance for capacity-building in the area of counter-terrorism, is not just a necessity; it is one of the essential elements of the counter-terrorism system.

My third comment concerns the strengthening of visiting missions. I would like to highlight the importance of field visits. They are the best way to observe the progress made by States concerning their counter-terrorism obligations and to become familiar

with needs that must be taken into account. However, there must be better coordination among the expert groups of the various Committees to reduce duplication and to promote the optimal use of resources. These visits can enable the three Committees to better assess areas for assistance and to facilitate and rationalize the needed technical assistance, as stressed by the Chairperson of the CTC in her statement today. In addition, the results of these visits should be utilized with a view to the improvements we seek at various levels.

In that regard, and without wishing to influence the work of the Counter-Terrorism Executive Directorate (CTED) or to change the criteria determining which countries are to be visited, my delegation would like all regions to benefit from the same attention, in view of the need to build the capacities of every Member State to deal with an unpredictable actor. There must be an active dialogue with Member States — for example, regarding the needs perceived by the CTED — in order to establish priorities and to aim for concrete results.

The work programmes of the three Committees are quite ambitious, and we endorse them. We understand and support the concern for clarity that underpins them, particularly with regard to establishing consolidated lists of individuals and entities suspected of having violated the relevant United Nations resolutions, including with respect to the Al-Qaida/ Taliban Sanctions Committee. Nonetheless, we express our concern over the time involved in addressing certain sensitive cases regarding the delisting of certain individuals covered by resolution 1267 (1999). We welcome the strengthening of the cooperation between Interpol and the 1267 Committee to expedite the procedures in that regard.

In conclusion, I wish to reaffirm my delegation's support for the efforts of the Chairpersons of the three Committees in carrying out their respective mandates. I assure them of our constant support as they go about their tasks, which remain urgent and vital for the entire international community.

Mr. Al-Nasser (Qatar) (*spoke in Arabic*): Permit me at the outset to thank Ms. Løj, Mr. Mayoral and Mr. Burian for their comprehensive briefings on the activities of the Committees over which they preside, which are part of our comprehensive fight against international terrorism.

Terrorism remains one of the main challenges facing the world today. The State of Qatar has always emphasized that we reject terrorism in all its forms and manifestations and that we have supported all legal procedures aimed at eradicating terrorism. We have dealt firmly with this phenomenon through legal means and with full respect for democracy and human rights. We have adopted many counter-terrorism laws, we have acceded to many of the counter-terrorism conventions, and we continue to cooperate with the Counter-Terrorism Committee, established pursuant to resolution 1373 (2001).

We must fight extremism by tackling a number of issues, including making a joint commitment to work together to oppose hatred, in the name of liberty and freedom. I believe it is appropriate to remind everyone that Council resolution 1624 (2005) stresses the importance of continuing to do everything possible at the international level to enhance dialogue and interaction and to reach out to various civilizations and cultures so as not to arbitrarily attack any particular religion or any particular culture. The resolution also stresses the important role of the media in enhancing such a dialogue among cultures and civilizations, in encouraging tolerance and coexistence and in creating an environment which is not conducive to terrorism. Here, we urge the Counter-Terrorism Committee (CTC) to address this issue with great resolve and call upon States to stop criminalizing and demonizing certain religions.

Qatar believes that we should not seek security at the expense of freedom. Our belief in human rights is the cornerstone of our fight against terrorism. Counter-terrorism efforts must conform to the basic principles enshrined in the Charter of the United Nations and to the norms of international law, international humanitarian law and human rights law, and they must avoid double standards in moral and political matters. Many issues are being addressed by the Al-Qaida/ Taliban Sanctions Committee, and they are a source of grave concern. We must work as swiftly as possible to deal with them.

In the short time since it became a member of the Security Council, my delegation has therefore undertaken substantial, objective, transparent and professional efforts and will very soon offer proposals for the needed development of the Committee's work and for identifying fair, honest and balanced procedures within the Committee's guidelines for

placing individuals and entities on the consolidated list and for delisting them for humanitarian and religious reasons.

My delegation shares the moral assessments of the Committee established pursuant to resolution 1540 (2004), whose main task is to analyse country reports. In that connection, my delegation congratulates the many States that have submitted their national reports; it welcomes those submissions. We call on those States that have not yet submitted reports to begin the submission process, and we urge the Committee to provide the technical assistance such States need so that we can make further progress in facing the threat posed by the acquisition of weapons of mass destruction. The Committee should be vigilant in pursuing its activities in order to ensure the non-proliferation of weapons of mass destruction either by States or by non-State actors. Non-proliferation measures should not be selective.

Finally, I call upon the three Committees to closely coordinate and cooperate with a view to ensuring the greatest possible cooperation in the fight against terrorism.

Mr. Mahiga (United Republic of Tanzania): I thank the chairpersons of the Committee established pursuant to resolution 1373 (2001), the Committee established pursuant to resolution 1267 (1999) and the Committee established pursuant to resolution 1540 (2004) for their respective comprehensive briefings on the work of the three Committees in the global fight against international terrorism and the proliferation of weapons of mass destruction. I congratulate Ambassador Burian of Slovakia on his assumption of the chairmanship of the 1540 Committee.

My delegation is gratified by the increasing coordination of operations, given the interrelated and complementary nature of the work of the three Committees. The Analytical Support and Sanctions Monitoring Team, the Counter-Terrorism Committee Executive Directorate (CTED) and the experts who support the work of the 1540 Committee share information and have a common approach to the reporting obligations of States. The CTED and the Monitoring Team coordinate some of their visits to Member States, which minimizes costs in time and resources. We also encourage the reported initiative of the 1373 Committee to follow up on the implementation of resolution 1624 (2005), adopted at the Security Council summit last September.

We commend the Counter-Terrorism Committee (CTC) for devising a comprehensive technical assistance implementation plan. The plan will improve the capacity of Member States with respect to the implementation of resolution 1373 (2001). The current activities undertaken by the Committee to enhance dialogue and cooperation with Member States are producing positive results. In that regard, I am glad to report that the CTED delegation led by Mr. Rupérez just last week finished a visit to my country. The delegation was accompanied by delegations from relevant international organizations such as Interpol, the International Civil Aviation Organization and the International Maritime Organization. The CTED had useful discussions on future cooperation, including enhancing reporting obligations with respect to other Committees and exchanges of information on international terrorism.

There is an urgent need to improve the quality of the 1267 Committee's consolidated list. In his statement, its Chairman made reference to the Committee's intention to consider additional improvements to the identification of and information on individuals currently on the list, which I very much welcome. Of equal importance in the Chairman's statement was the acknowledgement that scores of pending issues exist on the Committee's agenda. The Committee should expedite the modalities for reviewing pending issues, including cases related to listing and delisting. We commend the Chairman for undertaking visits to Japan and Indonesia. Visits to Member States increase the Committee's awareness of problems that States grapple with in the implementation of the sanctions regime.

My delegation attaches great importance to the coordination role played by the 1540 Committee in denying non-State actors the acquisition of weapons of mass destruction or related materials. So far, the Committee has done laudable work in examining all national reports that have been submitted. The Committee's target of finishing the examination of information additional to the first reports by 31 March 2006 is highly commendable. Timely consideration of Member States' first reports enables the Committee to determine which States need assistance in this highly technical area. In that context, the Committee should strive to increase States' awareness of the availability

of bilateral and international assistance in facilitating the implementation of resolution 1540 (2004).

The President: I shall now make a statement in my capacity as representative of the United States.

I too would like to thank all three chairmen for their leadership in our counter-terrorism efforts. Their hard work and dedication, along with that of their Committees' staffs, are essential to the success of the Council's effort to combat terrorism. The Council must remain focused and resolute in combating the threat of terrorism, while adapting flexibly to new challenges. The Council's three Committees must be proactive and action-oriented, keeping in mind always the importance of achieving concrete results in the fight against terrorism.

Today's presentations provide various examples of initiatives these Committees and their staff bodies are pursuing, often in collaboration with one another. Expanding such collaboration is essential. We applaud the joint initiative to rationalize the reporting that the three Committees request from States. We also commend the work of the three staff bodies to coordinate joint visits and outreach to States and urge them to do more. All three presentations note efforts to enhance cooperation with other international and regional organizations. We urge the Committees and their staffs to collaborate to ensure that these important efforts reinforce each other.

Above all, these Committees play an essential role in monitoring States' implementation of the counter-terrorism obligations the Council has established. As they proceed, all three Committees should examine the important issue of non-compliance.

The Counter-Terrorism Committee (CTC) and the Committee established pursuant to resolution 1540 (2004) should develop concrete standards for measuring States' efforts to implement resolutions 1373 (2001), 1624 (2005) and 1540 (2004). The 1267 Committee should develop standards for measuring States' implementation and enforcement of the sanctions regime under resolution 1267 (1999).

Finally, we encourage both the 1267 Committee and the CTC to devote more attention to the elements of the resolutions under which they operate that do not relate to terrorism financing. Resolution 1624 (2005) contains important language concerning the need for States to deny terrorists safe haven. It is important for both bodies to focus more intensively on the provisions of the resolutions relating to terrorist travel, safe havens and arms bans.

I should now like to comment specifically on each presentation. Chairman Løj, the United States appreciates your effective leadership and welcomes your report. The CTC and its Executive Directorate (CTED) play an essential role in ensuring that States implement their obligations under resolution 1373 (2001), and we welcome your proposals for ways in which the CTC and its CTED can achieve concrete results. We look forward to working closely with you on the important task of identifying best practices relevant to the implementation of resolution 1373 (2001). These best practices can be an important way to give States a better sense of the steps the CTC expects them to take to implement resolution 1373 (2001).

We welcome the CTC's work to develop a more pragmatic, focused approach for linking States that need assistance to enhance their implementation of resolution 1373 (2001). As not all needs can be met, we think that the CTC and CTED can play an important role in identifying priority needs for assistance and in conveying that information to donors. Above all, as the CTED implements the CTC's new policy on technical assistance, the CTC must strike the right balance between facilitating the delivery of technical assistance and monitoring the implementation of resolution 1373 (2001). The CTC should keep in mind that work to facilitate technical assistance must occur in the context of monitoring States' implementation of their binding obligations under resolution 1373 (2001).

I appreciate the comments of members regarding the Committee's work to facilitate States' implementation of resolution 1624 (2005). The United States will endeavour soon to provide the Committee with information about our efforts to implement that new resolution.

To Ambassador Mayoral I say that the 1267 Committee has made important strides in the past 120 days. The United States commends that work. We welcome the Committee's successful cooperation with Interpol and the concrete results we have seen from that initiative. The new measures Ambassador Mayoral described in his briefing will provide important tools to law enforcement officials around the world and will

strengthen the sanctions regime, especially the travel ban. The United States hopes that the 1267 Committee will continue its robust dialogue with other international and regional organizations, in an effort to replicate the successes with Interpol. We also hope that the CTC and the 1540 Committee can use the 1267 Committee's initiative as a model to pursue comparable efforts.

In his briefing, Ambassador Mayoral spoke about the 1267 Committee's important work with Afghanistan and about the Afghan Government's reconciliation process. The United States fully supports the reconciliation process. We are pleased that the Committee is strengthening its dialogue with Afghanistan on that matter.

I should note that the Monitoring Team is an invaluable resource for the Committee. The United States appreciates the Team's professional and high-quality analysis in all aspects of its 1267 sanctions regime. We look forward to the Committee's discussion of the Monitoring Team's fourth report.

I also wish to thank Chairman Burian for his presentation and for his accomplishments since he assumed his position in January. Resolution 1540 (2004) is a significant tool for addressing the threat to international peace and security posed by the proliferation of weapons of mass destruction, their means of delivery and related materials. We applaud the Committee's efforts to monitor and promote the implementation of the resolution. In particular, we appreciate the Committee's work to examine the additional information States have provided regarding their implementation of resolution 1540 (2004).

We look forward to the Committee's report to the Council regarding the results of the former's evaluation of States' reports. We share Ambassador Burian's concern that nearly 70 Member States have yet to report to the Committee. We welcome his proposals to reach out those States in order to encourage them to report.

We agree that the Committee's mandate should be continued, and we are carefully considering what its future mandate should entail. We look forward to participating actively in discussions on this issue in the near future.

I now resume my functions as President of the Council.

Pursuant to rule 37 of the Council's provisional rules of procedure, I now give the floor to Ambassador Pfanzelter of Austria.

Mr. Pfanzelter (Austria): I have to honour to speak on behalf of the European Union and the countries that align themselves with this statement.

First of all, I would like to thank the Chairpersons of the Al-Qaida and Taliban Sanctions Committee, the Counter-Terrorism Committee (CTC) and the Committee established pursuant to resolution 1540 (2004) for their comprehensive and informative briefings. We attach great importance to such regular public debates of the Security Council in the field of counter-terrorism and the non-proliferation of weapons of mass destruction. Open discussions are an important contribution to strengthening the acceptance, legitimacy and transparency of the Council's efforts in this field.

The European Union believes that the Committees should continue their efforts to increase cooperation and coordination with regard to monitoring the implementation of their respective Security Council resolutions, as well as with regard to sharing information and coordinating country visits. We encourage the Council to consider ways to strengthen its monitoring and enforcement role in counter-terrorism, including by consolidating State reporting requirements.

The European Union emphasizes the importance of respecting international law, human rights law and refugee law — including due process and the rule of law — in the fight against terrorism.

We welcome the efforts of the 1267 Committee to further improve the Al-Qaida and Taliban sanctions regime, especially the Consolidated List and the Committee's guidelines, in the light of Security Council resolution 1617 (2005) and the recommendations contained in the recent reports of the Analytical Support and Sanctions Monitoring Team. The adoption of the revised guidelines, on 21 December 2005, was an important step. With regard to the sections dealing with listing and delisting procedures, no agreement has been reached thus far. The European Union expresses its expectation that the Committee will expeditiously continue its work on those sections, as mandated by the Security Council.

We stress the call made at the 2005 world summit to ensure that fair and clear procedures exist for placing individuals and entities on sanctions lists and for removing them, as well as for granting humanitarian exemptions.

The European Union fully supports the work programme of the Counter-Terrorism-Committee presented today. We particularly welcome the envisaged revision of the reporting regime through the development of a tailor-made approach and by streamlining reporting procedures. That would help to address the problems of non-reporting and the so-called reporting fatigue of Member States. We are also pleased to hear that the Committee has cleared the backlog of State reports.

We note with satisfaction that, on 15 December 2005, the Counter-Terrorism Committee's Executive Directorate (CTED) was finally declared fully operational. We have also taken note of the review of the CTED undertaken by the Security Council last December. We look forward to another comprehensive review by 31 December 2006.

We strongly encourage the CTC, with the help of the human rights expert in CTED, to continue its efforts to streamline human rights throughout its entire work.

With regard to the efforts to enhance dialogue with States concerning the area of technical assistance, the European Union stands ready to continue its cooperation and participation in CTED visits to countries with which it has a close relationship. We are also pleased to note the exemplary cooperation between CTED, as the key facilitator of technical assistance, and the Terrorism Prevention Branch of United Nations Office on Drugs and Crime, which provides technical assistance to requesting countries in the area of ratifying and implementing the 13 universal conventions against terrorism.

The European Union remains deeply concerned about the danger posed by the proliferation of weapons of mass destruction (WMD) and about the acquisition of such weapons by non-State actors, in particular terrorists. We fully support all international efforts to prevent the proliferation of WMD. The 1540 Committee plays an important role in that regard. The European Union commends the 1540 Committee and its group of experts for their work in developing a matrix and building a legislative database on the basis of the State reports examined and other relevant information received. That database will be an important information tool for Member States. We look forward to its publication on the Committee's website.

With the end of the 1540 Committee's two-year mandate approaching, on 28 April, the European Union notes with concern that 67 States — more than one third of the membership of the United Nations — have not yet submitted their first reports. We urge all States that have not yet done so to submit their reports to the Committee. We would be glad to consider any request for assistance or advice to such States as might be required. We look forward to the Committee's final report before the end of its current mandate and, in particular, its analysis of existing problems in the implementation of resolution 1540 (2004). In the light of its ongoing work and the numerous tasks that are still to be completed, the European Union believes that the mandate of the 1540 Committee should be extended as soon as possible.

Terrorism continues to pose one of the most serious threats to international peace and security. It is imperative that the United Nations and its Member States continue to show their unity and resolve in the fight against terrorism. The European Union strongly supports the measures outlined in the outcome document adopted last September. In the light of the upcoming meeting of the Ad Hoc Committee on terrorism next week, we reiterate the call of the world summit to make every effort to conclude the comprehensive convention on international terrorism during the sixtieth session of the General Assembly. We also look forward to the speedy adoption and implementation of a comprehensive United Nations counter-terrorism strategy, based on the elements proposed by the Secretary-General, to strengthen the capacity of the United Nations system to assist States in combating terrorism and to enhance the coordination of all United Nations activities in that regard.

For its part, the European Union adopted a counter-terrorism strategy at the end of last year, complemented by a detailed action plan for implementation, as well as a European Union strategy for combating radicalization and recruitment to terrorism. We believe that those documents, agreed at the regional level, could complement a comprehensive and global United Nations counter-terrorism strategy very well.

Let me conclude by reaffirming the commitment of the European Union to combating the continuing threat posed by terrorism and the proliferation of weapons of mass destruction through a comprehensive, integrated and multilateral approach, reinforcing both internal and international cooperation, in accordance with the principles on which the European Union is founded.

The President: I give the floor to the representative of Indonesia.

Mr. Jenie (Indonesia): I would like to start by expressing the appreciation of my delegation to you, Sir, and the Security Council for convening this public meeting on the briefings by the Chairmen of the subsidiary bodies of the Security Council. I would also like to take this opportunity to thank the three Committee Chairmen, as well as the Committee members and all the experts involved, for their dedication and hard work in pursuing their mandates.

Allow me also to reiterate my Government's strong commitment to combating terrorism. We ourselves have been the unfortunate victims of acts of terrorism, but even before those tragic events, Indonesia had decided to put into effect various measures to combat that scourge nationally, bilaterally, regionally and internationally. The recent visit to Indonesia by the Chairman of the Committee established pursuant to resolution 1267 (1999) and his subsequent meetings with high-ranking officials in Jakarta underline the commitment of the Indonesian Government to that endeavour. The visit by the Chairman was fruitful not only in enhancing collaboration and further strengthening international efforts to combat terrorism, but also in sharing the experiences and in understanding the challenges being faced by Indonesia in implementing the sanctions.

In that regard, Indonesia wishes to welcome and support the determination of the Chairman of the 1267 Committee to continuously improve the quality of the consolidated list. In our view, adding the missing identifier for many of the individual names would greatly assist countries in their efforts to apprehend such individuals. We believe that problems arising from the incompleteness of background information on individuals can be resolved through adding more information to the list. In that case, countries that have submitted particular names to the list should be able to give more information or share such information with other countries so that they can all focus their efforts on pursuing all the persons listed.

Permit me now to turn to the Counter-Terrorism Committee work programme for the eighteenth 90-day period, which covers the period from January to March 2006. Indonesia welcomes and supports the work programme. In our view, it will enhance the effectiveness of existing counter-terrorism measures. Let me add, in that connection, that Indonesia supports all measures intended to enhance the counter-terrorism capabilities of States requesting aid. We hope that such aid will be made readily available.

On the particular issue of State visits, while Indonesia recognizes its importance in monitoring the implementation of resolution 1373 (2001), as well as in identifying areas needing technical assistance, we are of the view that the planning of such visits should be coordinated with the 1267 Committee and the monitoring team for reasons of efficiency and effectiveness and so as to avoid the possibility of creating "visit fatigue" in particular countries.

With regard to paragraph 4 of resolution 1540 (2004), Indonesia submitted its report in October 2004. In addition, we submitted further information in November 2005 in compliance with the request of the Committee established pursuant to resolution 1540 (2004). I would like to take this opportunity to acknowledge the hard work of the 1540 Committee. We look forward to the fullest possible cooperation with it and to receiving assistance in implementing resolution 1540.

In that connection, we would like to note that the mandate of the 1540 Committee will be completed this April. We have no difficulties with an extension to the mandate so long as the scope and modalities are clearly defined and do not go beyond the provisions of resolution 1540. Along with that, however, we think that we should try to explore the possibility of formulating a comprehensive and multilaterally-negotiated legal instrument to address, in all their aspects and on a permanent basis, the specific questions related to preventing the acquisition of weapons of mass destruction by non-State actors.

Allow me to provide an update on Indonesia's continuing efforts to combat international terrorism. On 9 November 2005, in the effort to apprehend Dr. Azhari and Noordin M. Top — the prime suspects of many terrorist bombings in Indonesia — our counter-

terrorism police, following information it had received, tracked Dr. Azhari to Malang in East Java. Unfortunately, he was killed. It is our hope that the elimination of Dr. Azhari as one of the masterminds of the terrorist bombings in Indonesia will weaken the capacity of his group to launch further attacks in the country.

In addition, I am happy to inform the Council that, since its establishment in July 2004, the Jakarta Centre for Law Enforcement Cooperation has held various training courses to enhance the capacity of law enforcement officers in the Asia-Pacific region to cope with transnational crime, including terrorism. In 2006, the Centre will hold more training courses, including a coastal patrol seminar to be sponsored by Italy; a critical incident management event to be sponsored by France; a major investigations management workshop; as well as an event on Islamic law and politics in Asia.

Finally, I would like to stress Indonesia's conviction that terrorism is a problem affecting all nations and that we can best fight and vanquish that menace through a multidimensional and multilateral approach, based on international law and respect for human rights and characterized by international cooperation, collaboration and a spirit of dialogue among all States, civilizations and religions. Indonesia is one such party, and, as we have said in the past, we stand ready to take every measure necessary and to work with other States and organizations to ensure that terrorists can find no place to hide and that terrorism is defeated.

The President: The next speaker is the representative of Algeria, to whom I give the floor.

Mr. Yousfi (Algeria) (*spoke in French*): May I at the outset congratulate you, Sir, on your assumption of the presidency of the Security Council and on the manner in which you have been guiding our work. I should like also to thank and commend the Chairpersons of the Counter-Terrorism Committee (CTC), the 1267 Committee and the 1540 Committee for the presentation of their reports and to thank the experts of the Committees for their continued efforts in carrying out their missions.

The threat posed by the Al-Qaida organization remains very real, and we must remain vigilant. We welcome the fact that resolution 1617 (2005) has enabled the 1267 Committee to fine-tune its guidelines, especially regarding the modalities for listing on the Consolidated List and the updating of information on individuals and entities inscribed on the list. We hope that this will enable us to overcome not only the difficulties encountered by States that have chosen to cooperate with the Committee and put names on the consolidated list, but also the hesitation of some member States of the Committee to acknowledge the existence of links between certain terrorist individuals and groups and Al-Qaida.

Algeria would like to emphasize the importance of cooperation and mutual assistance among Member States in the judicial area, in keeping with the relevant Council resolutions. The legal rule of "extradite or prosecute" must serve as the cardinal principle guiding international cooperation to combat terrorism.

In that framework, we welcome the cooperation between the 1267 Committee and Interpol, which will no doubt help to enhance our effectiveness in bringing to trial terrorists included on the Committee's list.

The first four Interpol-United Nations special notices issued on 6 December 2005 represent a positive step towards translating such cooperation into reality.

My delegation fully supports the work of the CTC and welcomes the fact that the Counter-Terrorism Executive Directorate (CTED) is now operational. We are convinced that this achievement will fully redound to the benefit of Member States.

I welcome the successful visit made by the Executive Directorate expert team to Algeria in November 2005. We hope that other Member States, including Security Council members, will volunteer to host similar visits, especially in the light of the adoption of resolution 1624 (2005) on inciting acts of terrorism, which mandates the CTC to ensure its follow-up and implementation.

Algeria, which took part in the drafting of that resolution, believes that it represents significant progress in the anti-terrorist struggle in all its aspects. My country welcomes the steps taken recently by certain countries to criminalize acts advocating terrorism or inciting hatred or violence.

I should like to emphasize the major role that the United Nations must play in providing developing States with technical, institutional and legal assistance, so as to enable them to overcome the difficulties they face in carrying out their tasks under the relevant Council resolutions.

That is the case with many African countries, which, despite their goodwill, cannot alone cope with the threats posed by terrorist organizations. Indeed, terrorist organizations and their networks find our continent a fertile ground for their deployment and for the recruitment of militants. That is due to several factors, including the geographical expanse of the Sahel region, the permeability of certain borders, the existence of many situations of internal conflict, poverty, and the lack of resources on the part of security services.

It is with that in mind that the African Centre for Study and Research on Terrorism, in cooperation with the United States' Africa Centre for Strategic Studies, is, even as we speak, hosting an international seminar in Algiers on cooperation to combat terrorism in the Maghreb and in the Sahelo-Saharan region, with the participation of several subregional African organizations and United Nations experts.

Allow me to recall that in April 2004 my delegation joined in the consensus in the Security Council on resolution 1540 (2004). Indeed, it felt that, given the lack of internationally binding norms preventing the access and use by non-State actors of weapons of mass destruction, it was the responsibility of the Security Council to act, on an exceptional basis, in order to address the threat of the possible use of such weapons by terrorist groups.

That achievement illustrates the determination of the international community to act decisively, in a spirit of solidarity, against the terrorist threat. The measures proposed by that resolution represent a collective response that could prevent the proliferation of such weapons.

It is important to note that the results achieved by the 1540 Committee, which has been in existence a little less than two years, have reflected a significant involvement by Member States, which have submitted numerous national reports on schedule. We must now consolidate the gains made by enabling the Committee experts to pursue their work, especially regarding assistance to States that request it, as set out in the mandate of April 2004.

Finally, Algeria remains convinced that the best way to cope with the threat of the proliferation of weapons of mass destruction is to eliminate them totally.

The President: The next speaker on my list is the representative of Brazil, to whom I give the floor.

Mr. Sardenberg (Brazil): I wish to thank Ambassadors César Mayoral, Ellen Løj and Peter Burian for their briefings and for their able work regarding, respectively, the activities of the 1267 Committee, the Counter-Terrorism Committee and the 1540 Committee. The delegation of Brazil sees this open meeting as an enriching experience that will ensure synergy in the functioning of the various Security Council Committees.

My delegation commends the genuine effort made by the 1267 Committee in gathering a considerable amount of information, mostly from sources other than the direct processing of Member States' reports. These inputs should allow for a more thorough understanding of the ongoing combat against Al-Qaida-related terrorism as well as the identification of key mechanisms to proceed in this fight, including the fine-tuning of sanctions when applicable.

In addition, we believe that further steps must be taken to increase cooperation between the Committee and Interpol in order to enhance the effectiveness of the Al-Qaida and Taliban sanctions regime. Given the similarities between the travel controls applied by Interpol and those sought by the Committee as regards the travel ban, there seem to be ample opportunities to make use of Interpol's very efficient information-sharing mechanisms.

Brazil recognizes that the efforts made by the Chairman to improve dialogue with Member States, including through visits to selected countries, are of great relevance to the work of the Committee. It is also worth pointing out that the conclusion of the revision of the draft guidelines of the 1267 Committee ensured the long-overdue update of the Committee's task and working methods. Special attention should continue to be paid to the issues of listing and delisting, including of legal entities.

The importance of the contribution of the Committee in combating the threat of terrorism represented by Al-Qaida is directly related to the international community's perception of its work. A renewed effort to incorporate the recommendations put forward by States is, in our view, the best way to ensure the maximum effectiveness of sanctions.

As to the CTC, my delegation believes that, as the Counter-Terrorism Executive Directorate (CTED) has been formally declared operational and the Council has concluded a comprehensive review of its work, the CTED will be in a better position to carry out its ambitious work programme under the policy guidance of the plenary of the CTC.

It is our view that the CTED should continue to focus its attention on identifying States' technical assistance needs and facilitating the provision of such assistance, with a view to enhancing Member States' capacity to deal with the threats posed by terrorism.

Brokering assistance to States in areas related to institution-building is one of the most efficient ways to counter the scourge of terrorism. Member States should have access to that type of cooperation on a voluntary basis and in accordance with their real needs. Potential areas for technical assistance should be identified by mutual agreement through increased dialogue with Member States.

After the dreadful terrorist acts of 11 September 2001, the United Nations has been enhancing its activities in the field of counter-terrorism. This has resulted in a legislative activity that concerns us all. In accordance with the United Nations Charter, the General Assembly is the only organ with universal representation that has the competence to make recommendations with regard to general principles of cooperation in the maintenance of international peace and security. The Committee's work should be in line with that provision, including through the identification of best practices in various areas related to the implementation of resolution 1373 (2001). Best practices are not, however, treaties. They are neither binding nor mandatory. The Committee should be extremely careful not to stray into areas that belong to the exclusive domain of Member States.

Another important issue on the CTC agenda is the incorporation of the human rights perspective while countering terrorism. Despite the fact that the CTED mandate does not include a monitoring role in this field, it is important that its work actually contribute to strengthening the observance of human rights standards. In our view, General Assembly resolution 59/191, entitled "Protection of human rights and fundamental freedoms while countering terrorism", which was adopted by consensus, should be a primary reference for the Directorate's work in this area.

As regards the 1540 Committee, our delegation is pleased to note that, with the valuable support of the group of experts, the Committee, under the leadership of Ambassador Burian, concluded the examination of the first round of national reports submitted by Member States. This is a most welcome achievement. We continue, on the other hand, to encourage those States that have not yet done so to present their first report as soon as possible. The Committee should seek ways to assist countries that are willing to report but are, for technical reasons, unable to do so.

I would like to reiterate that Brazil is ready to provide technical assistance, as appropriate, to States in the Latin American and Caribbean region and to other developing countries lacking the legal or regulatory infrastructure and implementation experience required to apply the provisions of resolution 1540 (2004).

The Committee has already begun considering the responses to its requests for additional information. This exercise will certainly allow the Committee to achieve a full, comprehensive picture of the state of worldwide implementation of resolution 1540 (2004). It will also serve as the basis for its final report, to be submitted to the Council by April 2006. Once the present mandate of the 1540 Committee is concluded, there will be important lessons for the wide membership to consider, and the General Assembly will certainly benefit from the work accomplished. In this context, we recognize that there is a clear difference between the obligations encompassed in resolution 1540 (2004) and the mandate of the Committee. We continue to believe that extension of the 1540 Committee's mandate should be avoided, as it deals with areas within the competence of the General Assembly.

Terrorism continues to be a major threat to international peace and security. The international community is indeed aware of that challenge, as reflected through the work of the General Assembly and of the Security Council over the last years. In parallel with the important activities of the Council on the issue, States should continue to focus on the need to better explore other mechanisms of international cooperation for the promotion of the fight against terrorism. The full use of existing mechanisms could further contribute to our common effort.

The President: I now give the floor to the representative of Israel.

Mr. Gillerman (Israel): Allow me, at the outset, to thank you, Mr. President, for your leadership of the Council during the month of February and for convening this very important meeting. I wish also to thank the Chairpersons of the Counter-Terrorism Committee (CTC), the Al-Qaida and Taliban Sanctions Committee and the 1540 Committee for their hard work, concise reports and invaluable contributions.

As we are convened here today, the world is witnessing the formation of a dangerous new alliance — indeed, an axis of terror — comprised of Iran, Syria and Hamas. As many here are quite aware, the Iranian leadership is hosting Hamas in Tehran at this very moment and has committed itself to a more active role in the Palestinian Authority. As Khaled Mashal, head of the Hamas delegation, stated during the visit, Iran "will play a major role in the shaping of the Palestinian Authority and Palestinian nation in light of the many challenges facing us". The President of Iran and the Ayatollah Ali Khamenei subsequently called for a continuation of acts of terrorism against Israeli citizens. This meeting follows a recent visit by the Iranian President to Damascus, the capital of terror, which is home to the headquarters of over 10 different terror organizations. During that visit, the Iranian President used the Syrian presidential palace, which has been put at his disposal, to meet with terror organizations and plan and direct orders for specific acts of terrorism. One can only wonder what will be the real nature of this deeper Iranian involvement in the Palestinian Authority.

This new axis of terror poses a major threat to regional and world stability and is a recipe for the world's worst pandemic. Should we neglect this imminent threat, the axis of terror may be the seed of the first world war of the twenty-first century. We call on the international community, through its relevant organs and, especially, this Council, to take seriously these joint efforts by Iran, Syria and Hamas, and act decisively and swiftly to prevent Iran, an extremist and dangerous terror-supporting regime, from acquiring the capability and know-how to develop nuclear weapons. Time is of the essence.

The provisions Hamas seeks from Iran and Syria are all the more dangerous, considering its recent political empowerment and its goal to eliminate Israel. The recent elections in the Palestinian Authority cannot whitewash the radical nature of this new ruling party. Hamas is a terror organization. It is responsible for more suicide bombings, terrorist attacks and more deaths during the current period than any other terrorist organization, murdering 482 Israelis in total, some 44 per cent of the total killed. Hamas's goal is to strike deeply and in a deadly way, leaving its victims motherless, childless and limbless. I invite each Council member to read Hamas's charter, which calls for killing Jews and eliminating Israel. Only last week, Hamas, whose headquarters are in Damascus, released a video where one terrorist states,

> "We will hunt you everywhere, when you wake and when you sleep ... there is no better blood than Jewish blood ... [We will] quench ourselves with your blood and we will quench the thirst of our children with your blood."

This statement was made, by the way, after Hamas's election as the governing party of the Palestinian Authority.

The democracy of despots is a dangerous facade. To imagine Al-Qaida at the ballot box, Om Shinrikyo in the primaries, ETA celebrating an election victory and the PKK with a democratic majority are a frightening nightmare, where evil tries to pass itself off as something it is not.

The Hamas majority is not democracy; it is fanaticism propagated under the veil of democracy. Indeed, Hamas denies the very international agreements that instituted the recent elections. Israel cannot and will not recognize a terrorist regime. We will not provide legitimacy to its practices, and we call on the international community to recognize that terrorism and democracy can never coexist. As Secretary-General Kofi Annan stated on behalf of the Quartet last September, there is "a fundamental contradiction between such activities and the building of a democratic State" (*Press release SG/SM/10115*). He further emphasized last month,

> "It is the view of the Quartet that all members of a future Palestinian Government must be committed to non-violence, recognition of Israel, and acceptance of previous agreements and obligations, including the road map."

The international community, which recognizes the new enemy called international terrorism, should

upgrade its joint efforts against the threat of terrorist organizations disguising themselves as democratic bodies. Moreover, the fight against terrorism cannot be combated by a handful of States, no matter how strong their resources may be. This dangerous phenomenon is a global crisis, and it is our moral duty to work together to combat this pandemic.

We additionally call on the international community to hold accountable States that provide safe harbour to terrorists, host its infrastructure and promote a culture of hatred and incitement. We are particularly troubled by the connection between terrorism and money-laundering, and we must work together to block the steady flow of finances that enables terrorist cells to operate. In this regard, we urge all States to join and implement the 1999 International Convention for the Suppression of the Financing of Terrorism.

Israel believes that the Counter-Terrorism Committee (CTC), the Al-Qaida Committee and the 1540 Committee provide valuable assistance to the international community in enhancing its capabilities to fight terrorism. We believe it is vital to coordinate the activities of those committees in order to avoid duplication and maximize efforts.

Israel believes that the CTC should lead the way in setting the norms, priorities and primary objectives in the international fight against terrorism. We believe the Counter-Terrorism Committee Executive Directorate, which was declared operational last December, is already enhancing the fight against terrorism, in the spirit of resolution 1373 (2001). We view technical assistance and capacity-building as key tactics in enabling countries to improve their counter-terrorism efforts. Yet we call on the CTC to ensure that its efforts are action-oriented, and we encourage it to utilize the expertise of States with direct experience in counter-terrorism.

We commend the Al-Qaida Committee for its emphasis on State accountability. We also attach great value to the 1540 Committee. The proliferation of nuclear, chemical and biological weapons, their delivery systems and related materials continues to constitute a major threat to international peace and security. We believe that resolution 1540 (2004) is an effective tool against nuclear and unconventional terrorism, and we call on the international community to implement it fully.

Israel is pleased to witness the growing — almost universal — recognition, as stated in resolution 1624 (2005), that all acts of terrorism are condemned irrespective of their motivation. The fight against terrorism cannot be held hostage to any so-called root causes. There can be no attempt to justify or excuse the use of terrorism as a weapon. There is no such thing as bad terror and good terror. Terror is terror is terror.

We hope that that sentiment will be extended during our forthcoming deliberations on the comprehensive convention on terrorism. Israel supports the goal of finalizing that convention during the sixtieth session of the General Assembly. However, it would be unfortunate should the convention be achieved only at the cost of including amendments that allow terrorist organizations and State sponsors of terrorism to argue that situations exist in which terrorism is justified. As the Secretary-General has stated, "'terrorism committed by whomever, wherever and for whatever purposes' can never be accepted or justified" (*S/PV.5261, p. 3*).

Somewhere, at this very moment, a terrorist's mind is being poisoned, a terrorist's pocket is being filled, an explosive device is being donned. Somewhere, right now, a country is polluting its youth with incitement, propaganda and an infrastructure that enables terrorism. This tragic phenomenon will only be uprooted through a concerted international effort.

We look forward to the progress of the CTC and the Executive Directorate, the Al-Qaida Committee and the 1540 Committee in leading efforts to stop this dangerous global phenomenon before more innocent lives are lost.

Mr. Toro Jiménez (Bolivarian Republic of Venezuela) (*spoke in Spanish*): We would like to thank the chairpersons of the Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2005) for their useful briefings. It is our understanding that one of the main purposes of those Committees is to find more effective ways to prevent and eliminate terrorism. However, we cannot ignore the fact that the monitoring and combating of that phenomenon should be directed not only at individual or "private" terrorism, but also at those States that shelter terrorists. That should apply also to international State-led terrorism and its damaging consequences, which are witnessed daily by the entire international community.

Thus, we note the superficiality of the oft-repeated statement that the scourge of terrorism should be condemned wherever and by or against whomever committed. That works well as a rule, as long as it is not distorted, in whole or in part. This requires the striking of a balance; it requires equality — in other words, the exercise of concrete justice when that rule is applied by United Nations bodies and entities.

We are convinced that the United Nations, if it is to remain a meaningful and ethical institution, must act in accordance with the general interests of all of its Members. Its actions should not be determined by the political agendas of certain Members of the Organization. For that reason, in the exercise of its functions, the Counter-Terrorism Committee should not adopt — that is, it should avoid — policies based on double standards. Such policies undermine the credibility and reputation of and confidence in the Committee by ignoring State terrorism — the fundamental form of terrorism of the twenty-first century.

From the standpoint of international law, it is unacceptable, for example, that shelter should be provided to a terrorist such as Luis Clemente Posada Carriles, who, despite the extradition request made by the Bolivarian Republic of Venezuela on the strict basis of prevailing international agreements in that area, remains on United States territory. The Government of that country has failed to comply with its obligation to try or extradite him. That is a clear case of the disregard of resolution 1373 (2001), which, in paragraphs 2 (c) and 3 (g), prohibits States from offering safe haven to those who commit terrorist acts. It also prohibits recognizing political motivations as grounds for refusing extradition requests for terrorists.

Likewise, it is utterly incomprehensible that the Reverend Pat Robertson, who is associated with the highest spheres of the Republican Party of the United States, has publicly called for the assassination of the President of our country, Hugo Rafael Chávez Frías. Yet, the Government of the United States has not taken any action under resolution 1624 (2005) or under United States legislation to punish that act as a crime.

If we look back at history, another example of an act of State terrorism masterminded in Latin America by the Government of the United States of America was directed against Nicaragua. It was condemned by the International Court of Justice; despite that fact, it remains unpunished. A similar and much more recent act was the Anglo-United States invasion of Iraq. The international community has still not responded to that threat to international peace and security.

Rather, it seems that the well-known resolutions and conventions on terrorism are being selectively applied within the Organization. We urge the Committees — specifically the Counter-Terrorism Committee, which is responsible for implementing resolution 1373 (2001) — to carry out a visit to the United States of America to monitor, in the most effective manner, the implementation of that resolution. By doing that, the international community would demonstrate objectivity and impartiality in tackling the issue of terrorism.

The Bolivarian Republic of Venezuela, in its firm resolve to fight terrorism, has ratified many international conventions. At the domestic level, we have developed a broad set of norms to combat this phenomenon and have created a national authority responsible for that area. Thus, our Government has adopted a diligent, responsible and consistent approach to this issue. We have also regularly submitted the relevant reports to the Security Council's Counter-Terrorism Committee and to the Inter-American Committee against Terrorism. With the same conviction and perseverance with which we are fighting against this scourge, we wish to express our condemnation and repudiation of the use of terrorism as a tool to murder in cold blood or intimidate innocent, weak and helpless people anywhere in the world, including, of course, actions that some seek to justify as "collateral" effects, which are ultimately the main effects: civilian deaths.

We also repudiate and combat as terrorism the day-to-day system of lies, evasions, half-truths, disinformation and manipulations of all kinds promoted and disseminated by national and international media companies, which, in the service of imperial domination, conceal and twist information and prevent the peoples and public opinion from understanding the truth about those who are working together, within their rights, exercising self-determination, to build their own future and to make a different world possible.

For all those reasons, it is wrong to say, at least in an arrogant, disrespectful, provocative and, indeed, irresponsible manner — and we dare to say this with

the President's permission, and not without a certain humorous tone — how useless it would be to assert that our country lacks adequate credentials to contribute effectively to the Security Council's operations. Our diligent, consistent and responsible attitude has opened ways and established guidelines of dignity in the Organization concerning this issue. Venezuela's position is one of principle, in contrast to the double standards, discrimination and selectivity which some are trying and have tried to apply to the issue of terrorism. It is that perspective, once Venezuela has been elected a non-permanent member of the Security Council for the period 2007-2008, that will shape the quality of the conduct of our contribution to the work of this body.

I cannot conclude without alluding to a reflection by Saint Augustine, who told the story of a pirate captured by Alexander the Great, who asked him, "How dare you disturb the sea? How dare you disturb the whole world?" And the pirate replied, "I have a small boat, so they call me a thief; you have a whole fleet, so they call you an emperor".

The President: I should like to inform the Council that I have received a letter from the representative of the Syrian Arab Republic, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Mekdad (Syrian Arab Republic) took a seat at the Council table.

The President: I now give the floor to the representative of the Syrian Arab Republic.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): At the outset, my delegation would like to thank Ambassadors Løj, Mayoral and Burian for their briefings.

We welcome these public Security Council meetings to discuss this important issue. Syria condemns international terrorism in all its forms and manifestations. Syria was a victim of terrible terrorist acts and was one of the first countries to call attention to this grave danger. We called for developing national and international strategies to combat it.

Syria carries out its obligations with regard to the Consolidated List, both electronically and through hard-copy documents, which were distributed to all of our ports and borders. We also note with satisfaction the fact that the 1267 Counter-Terrorism Committee is making great efforts to fulfil its mandates. However, in spite of those efforts, the Security Council did not pay serious attention to what the General Assembly called for in the context of the outcome document at the September summit — that is, the need to tackle the issue of including and reviewing names in the Consolidated List, as well as delisting, and the problems related to enforcing bans, especially the similarities between names, the duplication of names and the incorrect spelling of names.

We also welcome the briefing on the work of the Committee established pursuant to resolution 1373 (2001) and its Executive Directorate relating to resolution 1624 (2005), on incitement to terrorist acts. The Committee has considered the reports submitted by States; here we wish to recall that a month ago Syria submitted an additional report supplementing its fourth report, which made reference to matters related to money-laundering and the financing of terrorism, in connection with recent legislation formulated by Syria to address money-laundering and the financing of terrorism. Syria is enhancing transparency in the areas of finance and banking related to investment and banking privacy. We have established a committee to develop legislation in these areas.

While we support resolution 1540 (2004) and the work of the Committee established pursuant to that resolution, we consider that the Committee's activities should not be seen as replacing those of the multilateral disarmament machinery. They should not infringe on the powers of the General Assembly. Syria has submitted its report under the resolution, along with addenda requested by the Committee. The addenda include references to laws on money-laundering, the financing of terrorism and nuclear materials.

Syria is committed to cooperating with the Security Council Committees in the sphere of counter-terrorism. It is putting in place national legislation and undertaking effective measures to fight terrorism and

fulfil its commitments in this area. We welcome the efforts of the three Committees to coordinate their work to fulfil their mandates. Here, we call on the three counter-terrorism Committees to avoid duplication of work, both among themselves and vis-à-vis bodies established by the General Assembly. We call upon the Security Council, as it addresses international terrorism — which poses a threat to international peace and security — not to interfere in matters falling within the exclusive purview of the General Assembly, in particular legislative matters. That would affect the legislative weight of measures adopted by the Security Council and would call the Council's credibility further into question. We attach great importance to the role of the Security Council and to international counter-terrorism efforts. We call upon States members of the Council to avoid double standards in the fight against terrorism, because these undermine the Council's credibility and the action it takes.

The United Nations provides a unique framework for our collective pursuit of international cooperation and coordination among all States in fighting terrorism and preventing the proliferation of weapons of mass destruction. My delegation attaches great importance to international counter-terrorism conventions and notes that States are shouldering their responsibilities under such instruments. In that regard, we will make an effective contribution to the forthcoming discussions in the General Assembly's Ad Hoc Committee on a comprehensive convention against international terrorism, with a view to finding a way to put an end to that scourge. We call for agreement on a legal definition of terrorism encompassing the work that has already been done and drawing a distinction between terrorism and the legitimate right of peoples to fight occupation and to liberate their lands. We call upon the General Assembly to achieve this within the framework of a comprehensive counter-terrorism strategy in conformity with the September 2005 World Summit Outcome (General Assembly resolution 60/1). This should promote peace and development, and should confront State terrorism.

Our Arab region is a victim of terrorism in general, and State terrorism in particular. This is seen in the daily terrorism that has ceaselessly, for decades, been carried out by Israel through its continued terrorist occupation of occupied Arab territories, its ongoing killing of thousands of innocent Palestinians, its destruction of their property, and its construction of a separation wall on their territory. We believe that the Israeli representative's exploitation of this Chamber in an attempt to sell his Government's terrorist policies and to cast doubt on what other States are doing to fight terrorism is intended to cloak Israel's terrorist acts. We should not be silent about this matter, which has serious negative consequences. Over the past few days, Israel has killed dozens of innocent civilians; we are waiting for the Security Council to condemn those acts and to adopt measures to put a stop to them.

Damascus is the capital of peace and understanding, whence the prophet Paul spread Christianity; Damascus was the base from which that great religion was launched. Damascus is also the capital of Islamic culture and the starting point of many other great cultures. No one can deny this, least of all someone who practices terrorism day and night and who practices hatred day and night.

The work of the three Committees is of great importance for the international community. We all hope that the Security Council will continue to enhance multilateral international cooperation in safeguarding international peace and security and in eradicating terrorism in all its manifestations.

The President: I shall now briefly take the floor in my national capacity to respond to the statement made by the representative of Venezuela.

I want to inform the Council, as we have before, that Mr. Posada, whom he mentioned, was detained on 17 May 2005 after entering the United States without inspection. He remains in custody while his case is processed in the United States legal system. Venezuela's extradition request is under review in accordance with the bilateral extradition treaty and United States law, and I do not plan to waste any time responding to the rest of the Venezuelan statement.

I now resume my functions as President of the Security Council.

It appears that none of the three Committee chairmen wishes to respond to questions or comments made in the course of the meeting. We appreciate the work of all three Committee chairmen, and we appreciate the indulgence of everybody here today.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 2.50 p.m.

United Nations S/PV.5376

Security Council

Sixty-first year

Provisional

5376th meeting

Wednesday, 22 February 2006, 10 a.m.

New York

President:	Mr. Bolton	(United States of America)
Members:	Argentina	Mr. Mayoral
	China	Mr. Wang Guangya
	Congo	Mr. Ikouebe
	Denmark	Ms. Løj
	France	Mr. De La Sablière
	Ghana	Nana Effah-Apenteng
	Greece	Mrs. Papadopoulou
	Japan	Mr. Oshima
	Peru	Mr. De Rivero
	Qatar	Mr. Al-Nasser
	Russian Federation	Mr. Denisov
	Slovakia	Mr. Burian
	United Kingdom of Great Britain and Northern Ireland	Mr. Thomson
	United Republic of Tanzania	Mr. Mahiga

Agenda

United Nations peacekeeping operations

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

06-24870 (E)

The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

United Nations peacekeeping operations

The President: I should like to inform the Council that I have received letters from the representatives of Austria, Malaysia, Sierra Leone, Singapore and South Africa in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Mark Malloch Brown, Under-Secretary-General and Chef de Cabinet of the Executive Office of the Secretary-General.

It is so decided.

I invite Mr. Malloch Brown to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

I should like to draw the attention of the members of the Council to the following documents: S/2006/85 and S/2006/111, which contain letters dated 3 and 15 February 2006, respectively, from the representative of Malaysia addressed to the President of the Security Council; S/2006/113, which contains a letter dated 17 February 2006 from the representative of South Africa addressed to the President of the Security Council; and photocopies of a letter dated 20 February 2006 from the representative of Sierra Leone addressed to the President of the Security Council, which will be issued as a document of the Security Council under the symbol S/2006/117.

At this meeting, the Security Council will hear a briefing by Mr. Mark Malloch Brown, Under-Secretary-General and Chef de Cabinet of the Executive Office of the Secretary-General.

I now give the floor to Mr. Malloch Brown.

Mr. Malloch Brown: I am very pleased to be able to join the Council today, on behalf of the Secretary-General, to brief members on the steps which the Secretariat is taking on the recent audit of the Office of Internal Oversight Services (OIOS) on peacekeeping procurement and the actions we are taking to improve our procurement systems and to crack down on waste, fraud and other potential abuse.

This is obviously an unusual meeting, both in the subject and for myself as briefer, but as you, Sir, had requested the views of three different parts of the United Nations — the Office of Internal Oversight Services, the Department of Management and the Department of Peacekeeping Operations (DPKO) — the Secretary-General felt, given my role in working closely on his behalf with all three departments, that I would be the most appropriate senior official to be able to update you and your colleagues on those important issues, which are very much, we recognize, of interest to you. However, I might add that I have also been asked to brief the Fifth Committee later this week, which I will be very pleased to do, given the General Assembly's lead role in those matters.

As this body is well aware, along with the growth of peacekeeping itself, peacekeeping-related procurement has been the single fastest growing segment of Secretariat operations. Indeed, during the Secretary-General's nine years in office, the value of United Nations global procurement — 85 per cent of which represents peacekeeping — has grown from around $400 million to over $1.6 billion last year and an expected $2 billion-plus this year. In the past four years alone, the Security Council has mandated the establishment of six new peacekeeping missions, including complex integrated missions in Liberia, Côte d'Ivoire, Burundi, Haiti and the Sudan, as well as authorizing significant changes and growth in five missions' mandates and creating eight new special political missions.

That surge in activity has produced a 70 per cent increase in the number of military personnel deployed in peacekeeping missions, the vast majority of which rely on the United Nations for nearly all logistical support. Civilian staff has grown by 30 per cent over the same period and now comprises more than twice as many people as in the Secretariat in New York. Deploying, feeding and supporting that number of people requires literally thousands of contracts every year. Last year alone, for example, the United Nations rotated 150,000 troops; provided fuel, rations and movement for a field force of over 65,000; chartered hundreds of flights and dozens of sea lifts; moved hundreds of thousands of tons of cargo; and operated thousands of vehicles in the field.

In that context, we very much welcomed the General Assembly's request to the Office of Internal Oversight Services to conduct an independent review of peacekeeping procurement as one part of the overall management audit of the Department of Peacekeeping Operations. As indicated in General Assembly resolution 59/296, the main objectives of the audit, conducted between July to December 2005, were to review DPKO practices and identify risks and exposures to duplication, fraud and abuse of authority.

The audit also assessed the overall economy and efficiency of the operational areas reviewed, in this case procurement. United Nations missions in the Sudan and the Democratic Republic of the Congo were used as case studies. The audit included follow-up of the implementation of previous recommendations of OIOS pertaining to procurement.

The auditors made numerous findings. OIOS has separately already made a presentation to interested Member States. I will therefore not go over the findings in detail, which are available to Member States in the published audit report. However, the bottom line of the report was three-fold. First, the Organization is exposed to serious risk of financial loss because internal controls are inadequate, managerial supervision and strategic guidance have at times been lacking, and management has not done enough to exercise due diligence and establish high levels of ethical behaviour and accountability, despite numerous irregularities reported in previous audits.

Secondly, OIOS believes there is evidence of financial loss having occurred through over-budgeting or inflation of requirements, while controls to ensure that the Organization received value for money in its procurement activities — including document submission and performance guarantees — were lacking.

Thirdly, there are some indications of serious potential irregularities, including collusion or conflict of interest with vendors — as evidenced by inappropriate communications between United Nations officials, national Governments and vendor representatives — bid cancellations and resubmissions without proper justification, and alteration of bid prices by procurement officers. That is very alarming and merits urgent investigation.

A majority of the 32 OIOS audit recommendations to address those findings have been accepted by the Departments of Management and Peacekeeping Operations. The remaining recommendations are the subject of ongoing discussion between OIOS and management. There is strong disagreement between OIOS and DPKO about the methodology and quality of some parts of the report, which we need to resolve.

Let me add a reservation of my own, as someone who worked in the field for the United Nations at an earlier stage in my career. I am concerned that some of the findings contain judgements of the operations using criteria relating to a procurement system and to procedures that are out of step with field realities and themselves need reform.

In response to the findings and as a precautionary measure to protect the Organization, I, at the request of the Departments of Management and Peacekeeping Operations, placed eight staff members on special leave with full pay while the issues raised by the audit are looked into more fully. That special leave is, I stress, an administrative and not a disciplinary measure, and does not presume any wrongdoing by the staff affected. We are looking carefully into the situation of each of those eight staff members. For some, the investigatory arm of OIOS is undertaking an accelerated review within a broader investigation of other allegations of possible procurement-related wrongdoing by staff. OIOS has formed a 16-person special task force to handle those cases as quickly as possible. Several of the staff members on leave are not, however, the subject of any current investigation. In their cases, we have a management review under way to determine whether there were lapses or errors of management that we need to address before they can

go back to work. But let me add that, once that is resolved, we will happily welcome them back to the Organization, as we are concerned to see them be able to resume their careers without any inappropriate sanction.

In addition to the OIOS investigations, a more comprehensive, multi-year forensic audit by external experts, commissioned by the Department of Management and the Department of Peacekeeping Operations, is now being undertaken. At the Secretary-General's instruction, the United Nations is also fully cooperating with concerned national law-enforcement bodies in their investigations. Our hope is that those investigations will be quickly concluded. I can assure the Council that swift action will be taken against any United Nations staff members found to have acted inappropriately, including, if necessary, the waiving of immunities by the Secretary-General. One company has also been suspended from the United Nations list of approved vendors at this time.

I know there is concern, which I share, that those eight colleagues have been damaged by what happened, particularly through the disgraceful leaking of the draft audit report. But I would ask the Council to contemplate the alternative, namely, having left them where they were as though the audit and its findings had not happened. The Volcker Panel on the oil-for-food programme made it clear that a complacent, business-as-usual approach in the face of critical audit findings was a major breakdown of management that must be corrected. If wrongdoing is found, staff members under our procedures will be charged and then given full rights of due process within the United Nations justice system.

Let me turn to the specific implications of all this for peacekeeping procurement. Allow me start my puncturing the myth that has already started to take hold, namely, that the OIOS audit uncovered evidence of nearly $300 million in fraud. Actually, what the audit documents revealed is the likelihood of fraud in some specific instances — which is now being investigated — and significant potential waste, based in part on extrapolation from findings in the two missions investigated across all peacekeeping operations, in other words, not those just investigated.

Specifically, OIOS concluded, first, that justification in support of $110 million worth of expenditures was insufficient or lacking, which is very different from saying that those were necessarily inappropriate expenditures; secondly, that the procurement of contracts totalling about $61 million bypassed financial regulations and rules and established procurement procedures; thirdly, that, as result of mismanagement of the inventory of vehicle spare parts, the Organization lost $46 million; fourthly, that financial exposure as a result of inadequate management of performance bonds could be as high as $36 million; and, fifthly, that unclear payment terms in a contract resulted in an estimated over-expenditure of $7 million.

Clearly all of that is of great concern, even if it is a failure of budgeting and control processes rather than a loss of resources. We take the findings very seriously. I do, however, need to repeat the caveat that we, based on DPKO's reservations, do not accept all of the above as representing losses to the Organization. We will be making the response of DPKO to those points available to Member States.

Take one of the most glaring findings of the audit, namely, that in two missions the fuel contract fell short of the contract ceilings that had been set by a total of $65 million — the so-called under-budgeting problem. One of those missions was the United Nations Mission in the Sudan (UNMIS), where considerably less fuel needed to be consumed than had been planned for, simply because many of the troops had not arrived in theatre on their original planned schedule. Council members are well aware that delays in troop deployments, whether to the Sudan or elsewhere, are not always foreseeable and are not under the Secretariat's control. Second thoughts by troop contributors, a deterioration of security conditions, a rainy season and many other acts of man and nature can disrupt deployment. We therefore need to be clear on our terms. Funds reported as not spent on fuel that has been over-budgeted remain in the bank; they are not missing or lost.

Nevertheless, it is clear to management that the audit report requires a very serious response. We urgently need to take corrective action and put in place a reform strategy that addresses three distinct sources of risk.

First, significant risk arises from reliance on a regulatory framework ill-suited to the exigencies of the field. For example, the otherwise sensible requirement that bids must be found from multiple vendors can prove a real obstacle to the effective and timely

delivery of critical services in remote locations. Moreover — particularly in the early stages of mission start-up, where it is vital politically to hit the ground running — uncertainties routinely present themselves regarding the free movement of goods, customs clearances, taxation, the provision of rent-free property, visa problems for contractors and staff, et cetera. In short, peace operations are not environments well suited to our current complex and cumbersome procedures.

Secondly, we face additional risk from the demanding, unpredictable and sometimes dangerous operating environment typical of the field. We expect our managers to make judgements and to act in the best interests of the Organization. But we must be careful how we second-guess them from our armchairs in New York, and not put staff in the position of having to choose between doing their job and breaking the rules.

Thirdly, we face risk in the human resources dimension. We do have a cadre of seasoned, hard-working managers and procurement officers in our missions, but not enough of them. Indeed, 50 per cent — half — of peacekeeping procurement field positions are currently unfilled, largely because potential employees with suitable skill profiles are not willing to serve in the demanding environment of the field under current conditions of service. We fall short on adequate training, including ethics training, as well as on implementing routine safeguards and best practices, such as regular rotation.

In short, while we have undertaken significant peacekeeping-related reforms in recent years — most notably as a result of the implementation of many of the Brahimi Panel recommendations — we are still not there and need to do more. Council members will see in our proposals on management reform next week some expansive proposals for improving the conditions of field service to address those issues.

Resulting innovations that we have introduced already, such as strategic deployment stocks and pre-mandate commitment authority, have made it possible to a large degree to meet rapid deployment timelines hitherto thought impossible. But I acknowledge that whatever progress we have made in some areas on the human resource side, we will have real gaps, despite our very committed staff.

In order to address the broader underlying weaknesses that have been identified in procurement, the Department of Management is currently undertaking a comprehensive review of procurement rules, regulations and policies focused on updating procurement procedures, including the need for greater transparency and accountability, implementing an internal control framework, which includes a risk-management framework to provide a comprehensive prevention and diagnostic controls environment, and, as I have said, more systematic rotation of staff serving in procurement, as well as training and ethics.

Early elements of that strategy are already being implemented — we have said that. And as I have already indicated, we will come back to the Council next week with much more radical proposals to address the human resource weaknesses exposed here. On the procurement issues per se, in terms of that improved control environment, we will come back with more details in June.

Last but not least, the whole process sharply underlines the need for a stronger Office of Internal Oversight Services (OIOS), both in terms of audit and investigation. In carrying out this audit, we have seen the very real capacity constraints the OIOS faces, not least in performing appropriate follow-up and related investigations, given the scale, scope and complexity of today's United Nations operations. This, too, is currently the subject of a review commissioned by the General Assembly. As the Secretary-General recommended last year, we hope that review will recommend — and Member States endorse — substantial strengthening of OIOS.

But at the end of the day, this is not simply a question about better rules or stronger systems. It is about the men and women that the Security Council sends into active war zones to do what no one else would or could do. As with our approach to dealing with sexual exploitation and abuse, we have adopted a policy of zero tolerance for fraudulent behaviour or gross negligence. That means zero complacency when serious allegations of impropriety arise, and zero impunity for those found guilty of misdeeds.

Despite the challenges I have outlined today, United Nations peace operations are an indispensable, proven tool in promoting peace and stability. The vast majority of our people are honest, hardworking and committed to implementing the Council's mandates faithfully, often at a cost of great personal sacrifice and risk to life, and certainly at a cost to their family life.

Our challenge now is to work together to build a system that lets them do their job effectively, while management and Member States have the information, tools and resources to ensure proper accountability and oversight.

The President: I thank Mr. Malloch Brown for his briefing.

I invite those Council members who wish to take the floor to indicate to the Secretariat.

Mr. De La Sablière (France) (*spoke in French*): I would like to thank Mark Malloch Brown for his briefing.

The meeting that you have convened today, Mr. President, is clearly an important one. It gives us an opportunity to have a useful — indeed, a necessary — discussion about the actual conditions under which peacekeeping operations, for which the Council has responsibility, unfold.

At the outset, I would like to reiterate what Mark Malloch Brown said earlier in recalling that the maintenance of international peace and security is, now more than ever, at the very heart of the mission of the United Nations. It is an activity that has evolved considerably over the past few years. I believe that we are all familiar with the figures; they have just been repeated. The United Nations now has 18 peacekeeping missions, involving 85,000 people. That has meant an explosive increase in procurement. As we heard earlier, and as Louise Fréchette too has reminded us, procurement costs have risen from $400 million to $2 billion in just a few years, and the Secretariat simply does not have the capacity to deal with such a dramatic increase.

Let us not lose sight of the crucial fact that our Organization should be proud of what it is doing in that area. United Nations peacekeeping efforts are easy to denigrate, but in fact they are effective and efficient. It is important to remember the level of commitment of the people on the ground. I would like, on behalf of my Government and on my own behalf, to pay tribute to the people on the ground for the work that they are doing and to the activities of the United Nations in general in the area of peacekeeping.

The material conditions surrounding peacekeeping operations must be monitored very rigorously on an ongoing basis. In my view, the General Assembly clearly has an important part to play in this respect. My delegation counts on the Assembly to complete and follow up on reports that it has itself requested. However, the Security Council, too, was set up to examine such questions. It has the responsibility for international peace and security and cannot remain aloof from the material conditions surrounding that mission.

Our objective in the Assembly and in the Council must be the same: to ensure that peacekeeping operations have the resources they need and that the way in which such resources are used is above reproach. In that respect, some information has been given us that might prompt us further to increase our vigilance.

One of the reports that the General Assembly requested of the Office of Internal Oversight Services relating to the peacekeeping business is a legitimate cause for concern. Some alarming figures are cited — sometimes hastily. Indeed, sometimes the losses reflected in the report are aggregated with potential losses — losses that could occur if procedures are not strictly complied with or adapted.

However, it is true that light must be shed on any misappropriation of funds, which must be followed up on, including at the judicial level, and all necessary remedies must be employed. I personally was reassured by Mr. Mark Malloch Brown's indications of the resolve of the Secretary-General in that respect.

However, we would have liked this report to be clearer and more readable, because it does not provide all the answers we would like in respect of some fundamental issues.

We have taken note of the clarifications presented by Mr. Mark Malloch Brown. Our concern is to be able better to understand the situation. We have several basic questions to which we would like answers, so that, as I said earlier, we can better understand the problem.

First, how much of the problem is caused by planning and programming difficulties, for example in deciding the rate of deployment for an operation such as the United Nations Mission in the Sudan (UNMIS)? How much is caused by mismanagement or to the misuse of certain procedures, for example with respect to guarantees requested of certain subcontractors? And how much is caused by embezzlement, which means that funds are misappropriated to the detriment of the Organization?

We would like to know the relative importance of those three different problems and to be made aware of responsibilities in that respect.

While those three categories require close vigilance and, of course, a response, we must be careful not to lump them together.

Secondly, while procurement regulations are, of course, very strictly applied at Headquarters, can they be applied equally strictly at the local level in various places, where conditions are not the same and where competitive bidding is difficult? What would be some possible alternatives?

I have a third question, which Mark Malloch Brown has answered to some extent. How can we help the Secretariat remedy these aberrations? We have noted the clarifications and the corrections Mark Malloch Brown has given us, and we await the report to which he has referred. We believe that monitoring must be more effective. However, can new rules and regulations — even if necessary — be put into place without also ensuring that the human and financial resources are available to the Secretariat to enable it to operate under more strict conditions? I believe that this must be done. There is a need for greater monitoring, and the required resources must be provided.

I believe that we all realize that this issue is a very important and sensitive one and that there is much at stake. Accordingly, my delegation will seek to ensure that this issue is dealt with within the United Nations with the required thoroughness and seriousness, in conditions of transparency. In that respect, it would be useful for us to have responses from the procurement department and from the Department of Peacekeeping Operations to the earlier OIOS report.

We believe that the ongoing audits and the specific investigations under way are not yet completed and that they must be carried out properly and with diligence. The appropriate conclusions must be drawn when the time comes. We believe also that the process must continue, and that all competent bodies must discharge their mandates with respect to these cross-cutting issues, which relate to peacekeeping and to respect for the financial and budgetary rules of the Organization.

In our own countries, we all are aware of the problems that can crop up when we try to improve our management systems and make our policies more effective. The United Nations must undergo the same process, but it should not be treated more harshly. As we prepare to launch a large-scale operation, in Darfur, we must help the Secretariat. We must ensure that it is not destabilized. We must be aware of the fact that political impatience, although often justifiable, does not always go very well with good management. There is an old French saying to the effect that one must not confuse speed with haste or precipitous action.

In conclusion, while thanking you once again, Mr. President, for having convened this open and inclusive debate, let me state that I believe that this question must be dealt with in a level-headed manner, because otherwise we will not attain our common goal: to help the United Nations become more effective and work better for peace. My delegation will do its utmost to be helpful in that respect.

Mr. Wang Guangya (China) (*spoke in Chinese*): Let me at the outset thank the Secretariat for its briefing.

The Chinese delegation would like to make three preliminary comments.

First, peacekeeping operations are one of the most effective measures used by the United Nations to maintain peace and achieving collective security. In recent years, due to the ever-increasing new mandates, requirements for peacekeeping funds have been on the rise. Peacekeeping assessments have exceeded the regular budget of the United Nations. Therefore, greater attention is naturally being paid by all sides to the use and management of peacekeeping funds.

With regard to the problems related to peacekeeping procurement that have come to light, China hopes that the Secretariat will carefully look into cases that involve violations of rules and regulations and take stern disciplinary action. At the same time, lessons should be learned so as to effectively improve the management system, intensify oversight, and forestall any recurrences of such cases.

Secondly, China has noted that the Office of Internal Oversight Services (OIOS) has completed its consolidated evaluation report, but that relevant investigations are still going on. We hope that, upon completion of the investigations, the Secretariat will submit a timely report on the findings and the handling of the cases.

Thirdly, regarding the deployment, extension and conclusion of peacekeeping operations and the defining of their mandates and scale, the Security Council is in duty bound to assume primary responsibility in that regard. However, issues involving the use of peacekeeping funds in procurement management should preferably be referred to the General Assembly and its subsidiary organs, in keeping with the principle of division of labour among United Nations bodies. That would help all entities to play their proper roles, prevent duplication and facilitate mutual oversight.

Mr. Denisov (Russian Federation) (*spoke in Russian*): Mr. President, may I first of all extend my thanks to the Secretariat for the report that has been introduced to us by Mr. Mark Malloch Brown.

The Russian Federation attaches great importance to reform of the procurement system in the United Nations, fully in accordance with the resolutions adopted by the General Assembly on enhancing the effectiveness and transparency of procurement, ensuring equal access to the United Nations market for all suppliers in good standing from all United Nations Member States and removing any possibility of duplication of function, fraud or abusive authority. In our view, matters relating to improving the planning of peacekeeping operations and the managing and equipping of such operations should be the focus of attention here in the Security Council. We must also seek to ensure that solutions to such problems are fully in accordance with the more complicated nature and scale of peacekeeping operations.

As for procurement activities, they must be transparent, swift and flexible, as regards both the operational level and long-term planning. There must also not be any superfluous expenditure. This is something that must be monitored by the States Members of the United Nations.

The Russian delegation notes the appearance of the report of the Office of Internal Oversight Services on procurement for United Nations peacekeeping operations. There is a broad collection of recommendations in this report that relate to key issues on procurement in the United Nations, including those on how to improve the quality of planning procurement for peacekeeping operations, on ensuring clear interaction between the Department of Peacekeeping Operations and the procurement services, on improving monitoring of the costs of contracts, on registration and decision-making on the awarding of contracts to suppliers, on avoiding conflicts of interest in procurement, and so forth.

In principle, the recommendations in the report are in line with improving United Nations procurement activities to the maximum possible. However, they do need thorough and careful analysis. We believe the Secretary-General will soon be submitting a comprehensive report to the General Assembly on this matter, as provided for in resolution 59/296 on the administrative and budgetary aspects of the financing of the United Nations peacekeeping operations. It is our hope that this report will also include specific proposals on further improving procurement activities in the United Nations.

The Russian delegation believes it is important that today's Security Council meeting should provide further impetus for the future work in the Organization on improving the effectiveness of procurement and the adoption of effective measures to prevent and eliminate any financial violations in planning and equipping peacekeeping missions.

Mr. Oshima (Japan): First of all, I would like to thank Mr. Mark Malloch Brown for his briefing. I also thank you, Mr. President, for convening this public meeting this morning on an issue of great concern, not only to members of the Council but also to the entire membership of the Organization. The nature of the problem is such that it is important to ensure in our discussion a maximum of transparency and inclusiveness, and a public meeting allows for that.

We are very disturbed at the report of the non-insignificant incidence of fraud and mismanagement with regard to procurement in our Organization, especially in relation to peacekeeping operations. The Office of Internal Oversight Services (OIOS) report indicates that, for the period 2000-2004, the aggregated procurement value for peacekeeping operations is estimated at $3.7 billion, no small amount. We are struck by the references to a grievous lack of internal controls and non-adherence to the existing controls. We are also alarmed by the reported lack of enforcement of accountability by management in handling the large amount of resources that has been provided to the Organization by Member States.

Peacekeeping operations is a flagship operation of the United Nations in the area of peace and security, for which tens of thousands of personnel, including

civilian, military and police, are working hard, day and night, in difficult circumstances. It is truly regrettable that the good image of the blue helmets, who are engaged around the globe, should be tarnished by these unfortunate allegations.

It goes without saying that, in our countries, good governance must ensure that taxpayers' money is spent not only wisely but also accountably, adhering to rules and regulations. The same should hold true for intergovernmental bodies, including the United Nations. Member States, whatever the size of their contributions to the Organization's budget, are obliged to ask the Secretary-General and his staff, particularly those with management responsibility, to ensure that the resources entrusted to the United Nations are spent accountably. Any failings or shortcomings in this respect should be immediately and energetically addressed and remedied.

We, therefore, ask that the Secretary-General continue the thorough and rigorous investigation into the alleged wrongdoing and abuse in the procurement office in the Department of Peacekeeping Operations (DPKO), as well as in other procurement-related offices, in order to arrive as soon as possible at a full accounting of the facts, including the identification of all those who should be held accountable, as well as remedial measures to prevent the recurrence of such fraud and mismanagement in future.

In this connection, we recall that the Secretary-General referred to a zero-tolerance policy in the context of sexual exploitation and abuse by United Nations peacekeepers, as Mr. Malloch Brown again reminded us in his briefing. We agree that the same spirit and rigour should also apply to the financial management of the Organization, including, in particular, procurement.

I feel compelled to say that, unless immediate and convincing measures are taken to redress this problem, my Government, which currently contributes 20 per cent of the peacekeeping operations budget, will find it very difficult to maintain domestic support for underwriting peacekeeping operations, both ongoing operations and new ones, including a possible operation in Darfur.

The issue before us falls clearly under the purview of the Security Council, as the organ responsible for the creation of the mandates of United Nations peacekeeping operations and for their overall oversight. In the light of this responsibility, it is quite appropriate that the Security Council should take up this issue and that Council members express their views.

At the same time, the issues of management, budget and procurement have generally been the prerogative of the General Assembly, as the chief deliberative and representative organ of the United Nations. This applies to peacekeeping operations as well. On the basis of a thorough investigation, Member States will in due course conduct a review of the current procurement system in the General Assembly, which has the responsibility of overseeing the administrative and financial aspects of peacekeeping operations, including a comprehensive review of the relevant policies, practices, rules and regulations.

There is thus, in our view, complementarity between the General Assembly and the Security Council in the handling of the issue before us. In the light of the seriousness of the alleged wrongdoing, both the Security Council and the General Assembly need to work with a sense of urgency, by complementing each other and ensuring coherence in our overall approach to the matter. To do that, we expect that as an example of good top-level management within the Organization, the Presidents of the Council and the Assembly will consult closely with each other and with the Secretary-General to ensure coherence of policy and approach.

Mr. President, we appreciate the fact that you conferred with the President of the General Assembly about the discussion of this issue. We support and encourage such consultations. After all, we have a common goal: an efficient, effective and accountable Secretariat that will discharge the tasks entrusted to it by us, the Member States.

Mr. Mayoral (Argentina) (*spoke in Spanish*): I wish to thank and congratulate you, Mr. President, for convening this meeting to publicly discuss the purchasing and procurement system in United Nations peacekeeping operations. As we know, this is a very important issue that not only has economic repercussions, but also affects the prestige of the work of the Organization and its ultimate goal: achieving peace.

In the particular case of peacekeeping operations and the procurement system, it is important to recall that procurement should be the very means for attaining the Organization's ultimate objective:

international peace and security. So it is regrettable that a system designed to serve such a commendable goal should sometimes be converted into a tool for personal gain, relegating the main objective to a secondary level and changing it in the interests of an individual or group. That is why, with a view to the future, my delegation believes that the United Nations must do everything possible to have an efficient system that permits no failures or errors that would lead to the diversion or improper use of resources. The budget for United Nations peacekeeping operations cannot bear greater expenditures than those that are strictly necessary.

We believe that the General Assembly, for its part, has the primary and essential role in monitoring and accountability in this area. In fact, we believe it is significant that the most recent report of the Office of Internal Oversight Services (OIOS) on the procurement system for peacekeeping operations was initiated by a request of the General Assembly. Through its resolution 59/296, as a result of the Fifth Committee's recommendation, the Assembly suggested that area of investigation and authorized OIOS to proceed with its work.

Transparency and accountability are principles that must guide the activities of all United Nations staff, particularly those responsible for purchasing. We recall that the four elements regulating that system are, according to the United Nations financial regulations, the best value or best price; an integral, fair and transparent process; effective competition among bidders; and the interests of the United Nations itself. Those principles, in addition to obtaining the best possible quality, must be systematically followed in every procurement process.

In that context, we were very concerned to learn from the OIOS report — requested, as I said, by the General Assembly — that the planned controls have proved to be inadequate, that a lack of attention has been detected in officers with high responsibilities and that prices paid turned out to be neither competitive nor economically sound.

Our country attaches special importance to carrying out the OIOS recommendations in order to avoid any future repetition of situations that are unclear or have exaggerated or inflated budgets. We recall that, late last year, the General Assembly created an ethics office, in accordance with the decision by our countries at the September 2005 world summit. We hope that the office will quickly become operational and that it will be able to produce the results expected by the international community: it will consist of a professional body of highly capable international officers who have high ethical standards and act efficiently, not only to detect irregularities, but in particular to prevent them.

We have always pointed out that one of the best ways to ensure transparency and the best prices in the United Nations procurement system is through competition and, in particular, diversification of the areas of origin of the products purchased. In that connection, I take this opportunity to express our concern at seeing that Latin America has not traditionally been an important United Nations supplier. We therefore urge the Secretariat to address that inequity and to promote equal participation by all regions and the diversification of its procurement so that the economies of all Members of the Organization can benefit equitably from it.

Finally, I wish to say that this important public discussion should continue in the General Assembly, because that is the body where all States can express their opinion. We believe that not only should transparency be maintained in the peacekeeping operations procurement system, but transparency should also be an objective, a standard, that all Member States must meet.

We hope that the Organization will attain its objectives, one of which is to inform our peoples of what we are doing.

Mr. De Rivero (Peru) (*spoke in Spanish*): Permit me at the outset to congratulate you, Mr. President, on bringing this matter to a public meeting of the Security Council. I also thank Mr. Mark Malloch Brown for his frank and critical briefing on the current situation. We are pleased that the Council is discussing the issue of procurement administration in peacekeeping operations, which is one of the most important aspects in the effectiveness and legitimacy of the United Nations.

Since the Security Council established the first peacekeeping operation — the United Nations Truce Supervision Organization — in Palestine in 1948, the Council has authorized the deployment of 60 peacekeeping operations, which currently involve 107 countries and some 84,000 persons who work in 18 missions on five continents.

Thus, for more than 50 years the Security Council has been using peacekeeping operations as its main tool for discharging its primary function under the San Francisco Charter. It is elementary logic that, by the principle of subsidiarity, it clearly falls within the competence of the Council to continuously monitor the quality of those operations. To ensure that that tool — peacekeeping operations — is to be effective, the Security Council is duty-bound to review its management and any abuses, irregularities or corruption that might possibly have occurred.

Security Council consideration of the management of peacekeeping operations is already a practice of this organ. Indeed, two meetings on the subject took place, one in 2004, under the presidency of Pakistan (see S/PV.4970), and one in 2005, under the presidency of Denmark (see S/PV.5191). Many Member States made statements at those meetings; following the discussions, presidential statements (S/PRST/2004/16 and S/PRST/2005/21) were issued as a continuation of the Council's consideration of the matter. But this is not in any way to overlook the fact that the General Assembly is a principal organ that should also consider this issue.

While recognizing the exponential increase in the number of peacekeeping operations, my delegation shares the frustration and concern that has been voiced here regarding conclusions set out in the recent report of the Office of Internal Oversight Services (OIOS). The report states that there were serious irregularities in certain offices, which failed to meet the high management standards expected of those working in the United Nations. We fear that failure to take action in the face of repeated irregularities could give rise to a culture of impunity. Some of the irregularities mismanagement are so serious that they can only be described as fraud, which means that we are dealing with corruption. Urgent measures must be taken to investigate and punish these instances, and to ensure that there is no recurrence of the situation.

The Office of Internal Oversight Services report states that the military component has in certain cases unintentionally hampered support for humanitarian organizations and confidence-building among local populations. That must come to an end. Effective coordination is therefore needed among all the actors involved in peacekeeping. It is important for the Department of Peacekeeping Operations to design a consistent coordination strategy for military participation in civilian assistance activities.

Nothing calls for Descartes's "methodical doubt" more than peacekeeping operations in the face of the present-day proliferation of crimes against humanity. Are we meeting the responsibility to protect populations in a context of the proliferation of crimes against humanity and mismanagement? That is an important question in a world where, as I have said, civil conflicts are proliferating — genuine infernos of massive violations of human rights, ethnic cleansing and genocide. For the United Nations to act quickly to prevent such vast human suffering and to protect people against such crimes against humanity, we need peacekeeping operations that are not weakened or delegitimized by irregularities or even corruption. As has been said, we need to put in place a zero-tolerance system of monitoring and punishment.

Mr. Ikouebe (Congo) (*spoke in French*): I too welcome the convening of this debate in a format open to non-members of the Security Council, enabling them to express their views on the management of peacekeeping operations, a matter that is of the greatest concern.

I entirely understand the Council's legitimate concern that it be regularly informed about the functioning of operations that the Council itself has established. But above all, I understand the concern of the General Assembly that it review the outcome of work that it requested. I believe that the Council's inclusion of members of the General Assembly in today's debate is an indication of the transparency of our work.

I thank Mr. Malloch Brown for his excellent briefing. Indeed, it is because of his presentation that I must set aside the statement I had planned to make this morning. Mr. Malloch Brown has dissipated my concerns, but I should like to express the frustration of a Member State that learned from the media the content of a report that we received only a few days ago. I know that neither Mr. Malloch Brown nor his superior is responsible for that situation, but I believe that the Secretariat has a responsibility to bear in this matter. I hope that there will be improvement in this area.

Turning to the briefing, I congratulate Mr. Malloch Brown. As I said, it has largely dissipated misgivings and misunderstandings. It has changed what I believed only a few days ago. He has said that investigations are under way, some of them concluded and others ongoing. I take it that this is an interim

report, not a final one, so it would be premature for me to offer any evaluation today. I take particular note of the willingness of the Secretariat to take action where management rules have been broken in cases of fraud or embezzlement. I am certain that Mr. Malloch Brown is not prepared to permit such embezzlement to continue; I welcome such action and I welcome his commitment. But above all I take note of the willingness of the Secretariat to carry out improvements on the basis of the recommendations. That is a true part of the transparency and visibility of the reform process, which are among the goals we are striving for. It is important above all to ensure that such action is an element of management reform, and I welcome the approach that Mr. Malloch Brown described, which will, above all, result in improved methodology.

At the appropriate time, when all the investigations and audits have been completed, I believe that it would be legitimate for the Fifth Committee of the General Assembly to consider their outcome, to enable us to gain a real understanding of what remains to be done. That would be the best procedure to follow.

Let me conclude on the same point as Mr. Malloch Brown, relating to the role of peacekeeping operations.

I come from Africa, where most such operations are deployed. Our interest in the activities of the international community is therefore obvious. In many countries engaged in armed conflict, the men and women of the international community are the symbols of its solidarity. I myself have never visited the field; Mr. Malloch Brown has and we can benefit from his experience. Those people deserve some consideration. It would be unfair and unproductive on our part to represent them as criminals, rapists or agents of corruption, either confirmed or alleged. I do not believe that that is what participants at this meeting wish to do.

This debate can shed light on the situation. Such human endeavours have their limits. Mr. Malloch Brown is quite right to give careful consideration to the ways in which those operations are functioning, to note dysfunctions and to assure us that he will take action wherever necessary. Above all, safeguards should be put in place to avert breakdowns. That is the most important thing of all, but in order to ensure it we must keep cool heads. This debate should help us to do so.

Mr. Burian (Slovakia): At the outset, I should like to stress that Slovakia fully aligns itself with the statement to be made by the Permanent Representative of Austria on behalf of the European Union. That is why I will limit my statement to just a few remarks.

First of all, I would like to join my colleagues in thanking Mr. Mark Malloch Brown for his comprehensive briefing, as well as to express my delegation's appreciation to the Office of Internal Oversight Services (OIOS) for its important work. On the basis of what we heard today in the briefing, we are even more convinced that the issue of the efficient management of peacekeeping operations requires the urgent attention of all relevant bodies within the United Nations system.

In that context, we welcome the decision of the Fifth Committee to hold a meeting on that subject this week. In the same context, we also thank the United States presidency of the Security Council for holding this public meeting and debate, open to all Members for an interactive exchange of views on that important matter.

Slovakia remains a dedicated supporter of United Nations peacekeeping, which constitutes a core function of the Organization. It is precisely because of that commitment that we cannot turn a blind eye to any flaws in peacekeeping management, be they intentional or accidental. Therefore, we note with discomfort that, along with the surge in peacekeeping, we are increasingly being presented with allegations of serious managerial flaws and wrongdoing. As Mr. Malloch Brown mentioned, the OIOS audit of procurement has revealed evidence of waste leading to financial losses that we cannot afford to ignore or take lightly. With the costs of peacekeeping operations and special political missions currently exceeding $5 billion annually, we need to ensure that each and every dollar is spent effectively, efficiently and exclusively for the purposes mandated by this body.

We understand that there are many new challenges stemming from the increase in peacekeeping requirements, but that is why we expect management to be strong, competent and accountable. It is always very unfortunate when allegations of managerial inadequacies and incompetence overshadow the majority of dedicated United Nations staff members who work with the utmost professionalism and unwavering commitment to make United Nations peacekeeping a success.

The findings of OIOS are symptomatic of a larger problem and yet further proof of the urgent need to proceed even more vigorously with the complex reform process. My delegation considers it crucial that all allegations be properly investigated and that the recommendations of OIOS be followed and strictly implemented without delay. In that regard, we welcome the establishment of the OIOS Procurement Fraud Task Force to conduct the investigations. Furthermore, it is imperative to enhance internal control mechanisms and update existing financial rules and regulations and procurement procedures.

We trust that the Secretary-General will take all necessary measures expeditiously to clarify all the alleged wrongdoings and hold those responsible fully accountable. We support the steps already taken by the Department of Peacekeeping Operations and the Department of Management, and we are eagerly awaiting the results of the investigations, as well as the update on the implementation of the OIOS recommendations.

Every effort must be made to re-establish the credibility of and general trust in the United Nations system.

Ms. Løj (Denmark): At the outset, I would like to thank the Chef de Cabinet for his comprehensive briefing. I would also like to state that Denmark fully supports the statement to be delivered shortly by the Permanent Representative of Austria on behalf of the European Union.

Denmark attaches great importance to strengthening the United Nations administration, where accountability and transparency are and should be cornerstones and demonstrated by employees with high ethical standards. That is essential to a well-functioning Organization.

In that context, it is with concern that we have read the report from the Office of Internal Oversight Services (OIOS) regarding procurement in the Department of Peacekeeping Operations (DPKO). It is important that the staff act under the highest standards of efficiency, competence and integrity. At the same time, we as Member States must ensure sufficient staff capacity within the United Nations to deal with the full range of procurement contracts in all their aspects in order not to jeopardize the efficiency of the peacekeeping operations.

Senior management must pay attention to areas of high risk and vulnerability in procurement and place special emphasis on those areas. Accountability is essential in that regard. Also, they must ensure that the ethical guidelines for procurement staff are made well known in the Organization.

We recognize the progress made in the harmonization and streamlining of procurement practices in DPKO and encourage further efforts in that regard. We note that the volume of procurement has increased significantly in recent years, and therefore it is even more important now to ensure high standards in procurement.

While noting the management problems identified by OIOS, we also understand from a statement made by the Chef de Cabinet that there is strong disagreement between OIOS and DPKO on the methodology of the report. We welcome the fact that Member States will be informed about the nature of that disagreement.

Denmark also welcomes the assurances that the Secretary-General will deal with the issue promptly and that further investigations have been undertaken. We also hope and trust that the Fifth Committee will address the issue specifically and in the broader context. Judging by the statement by the Chef de Cabinet, that should also include consideration of proposals for changes in the financial rules and regulations for procurement in order to ensure that the regulatory framework can also be implemented on the ground.

In short, the findings of the OIOS necessitate, on the one hand, as stated by the Chef de Cabinet, swift action and serious response, and on the other hand, that the Secretariat, in cooperation with Member States, take the necessary action to prevent the occurrence of fraud and mismanagement. Those efforts should lead to enhanced efficiency in administrative processes, modern management practices and the consolidation of delivery of services to avoid duplication and waste of resources.

Mrs. Papadopoulou (Greece): I would like to start by thanking Mr. Malloch Brown for his briefing today on the report of the Office of Internal Oversight Services (OIOS) under consideration here.

Greece associates itself with the statement to be delivered shortly by the representative of Austria in

that country's capacity as the holder of the presidency of the European Union. I shall therefore make only a few short remarks.

Mismanagement, fraudulent activities or related weaknesses, in any system, call for prompt and decisive action. We all agree that the United Nations is no exception. The findings of the review, as presented today and as included in the report of the OIOS, are indeed worrying, and we cannot but express our deep concern. It is evident that procurement rules — and, even more so, procurement practices — should be reviewed. Furthermore, all allegations of fraud and mismanagement should be thoroughly investigated, and those found guilty must be held accountable.

Nevertheless, we are all well aware that this investigation is still ongoing. In that respect, we would like to emphasize the paramount importance of fully observing due-process principles. We believe that this issue, which is currently also under discussion in various competent bodies of the United Nations, is being handled with the seriousness and the thoroughness it deserves and through the proper United Nations channels. In view of today's consideration of the matter by the Security Council, Greece believes that action by all appropriate United Nations bodies involved in peacekeeping operations will contribute in a positive and effective way to the proper implementation of the principles and priorities of the United Nations as a whole. In that regard, we consider it valuable and useful that the Security Council be informed of the answers provided by the Secretariat to the OIOS report.

The need for reform has long been recognized as a priority for the Organization. As such, it was the main focus of our leaders' outcome document (General Assembly resolution 60/1). In recent months, all of us have been deeply engaged in that effort so that the United Nations can evolve into a dynamic and highly competent body ready to face the challenges of today's world.

Some good steps have already been taken in that direction, such as those adopted with regard to procurement during the fifty-ninth session of the General Assembly — concerning, for example, the issues of accountability and best-value-for-money practices. Those efforts and the gradual progress they bring about should be encouraged, along with vigilant oversight for possible wrongdoing.

In the light of the aforementioned, it is very important that we be careful here today to strike the right balance in our discussion. We should not lose sight of the significance of the role of, and the overall service provided by, United Nations peacekeeping operations in the cause of international peace and security. Those operations are staffed with competent and dedicated people who, most of the time, work under difficult circumstances and in extremely volatile environments. They do excellent work. For that they deserve our respect. It is our task to support and encourage them to continue to carry out the duties we entrust to them with the same professionalism and outstanding results.

Nana Effah-Apenteng (Ghana): First, I wish to join other delegations in thanking Mr. Malloch Brown, Chef de Cabinet of the Secretary-General, for his remarks and his briefing.

Ghana considers the issue of procurement reform in the United Nations to be of cardinal importance, as transparency and accountability are critical to the integrity of the Organization as a whole. For the record, and in order that there be no doubt, I wish to state categorically that Ghana does not condone, or belong to any group or association of States that condones, fraud, waste or abuse of authority in the United Nations system.

The General Assembly deserves to be commended for initiating, at the urging of the Group of 77 and China, of which my country is proud to be a member, the management audit that led to the disclosure of very disturbing incidents of fraud, abuse of authority and highly unethical conduct involving staff of the Department of Peacekeeping Operations (DPKO). We associate ourselves with the statement to be made later by the representative of South Africa on behalf of the Group of 77 and China.

We welcome the interim audit report and expect the General Assembly to vigorously follow up with the required measures to ensure that the various loopholes are closed immediately. In that connection, my delegation regrets the speed with which what is only an interim report has found its way to the media, even before its having been considered by the Assembly, which commissioned it on its own initiative in the first place. Some Member States, including mine, were naturally dismayed to read the details of the report, which had been embargoed to the media, as far back as

23 January 2006, when Member States had not yet seen, or been provided with copies of, the report. Obviously, such deliberate leaks are aimed at misleading the public and bringing the United Nations into disrepute. While we endorse the need for a whistleblower policy to enhance transparency and accountability in our Organization, in this case the leakage of the interim audit report to the press was hasty and unwarranted, and also unethical on the part of those who were responsible.

On the substance of the interim report, the need for efficient and effective use of the resources of the United Nations, especially those earmarked for critical peacekeeping operations, cannot be overstated. Such operations are invariably costly, and it is in the interest of all to ensure that waste through fraud and embezzlement is avoided.

As the body that authorizes such critical peacekeeping operations, the Security Council must be especially concerned to ensure that funds are always available for that purpose. Therefore, today's public meeting affords the Council the opportunity to raise its concerns before the public, including the General Assembly, which exercises management oversight over the Secretariat, so that together we can find a way forward.

While recognizing the right of the Security Council to consider some aspects of peacekeeping operations by virtue of the fact that it is the organ entrusted under the Charter with the primary responsibility for the maintenance of international peace and security — and therefore authorizes peacekeeping missions — we also believe that procurement is essentially a management issue that falls within the remit of the Fifth Committee of the General Assembly and, by extrapolation, is under the oversight responsibility of the General Assembly. Therefore, at the appropriate time and in the proper forum, we will articulate our views in extenso on some of the issues and recommendations contained in the audit report. In the meantime, we wish to make a few remarks and observations on what is, after all, an interim report.

Procurement has been one of the major areas of focus in the reform of the United Nations over the past 10 years. In that regard, we wish to acknowledge that efforts have been made, and are still under way, in the Secretariat, peacekeeping missions and offices away from Headquarters to improve excellence and accountability in the provision of services. Those efforts include initiatives such as the development of the United Nations Global Marketplace, the establishment of lead-agency procurement and direct agreements with manufacturers and a harmonized system-wide training and certification programme. We also cannot fail to take into account the programme of reforms introduced by the Secretary-General in 2005, which included five main categories: ensuring ethical conduct, strengthening oversight and accountability, updating the Organization, improving senior management performance and increasing transparency.

Despite those laudable efforts, much remains to be done. The interim audit report reveals several shortcomings in the procurement of items for United Nations peacekeeping operations, as well as a lack of proper care and attention by officials responsible for designing and implementing internal controls. The interim audit also documented substantial evidence of abuse in the area of procurement for peacekeeping operations, leading to financial losses and inaccuracies in planning assumptions. Also of concern is the fact that the United Nations management has not enforced accountability for non-adherence to internal control procedures, financial rules and procedures and procurement procedures.

It is imperative that immediate steps be taken to rectify those anomalies. We hope that, when the time comes for us to consider the review of the financial rules and regulations in the wider context of management reform, we will bear in mind that, in some cases, the fault lies not with the rules and regulations but with those entrusted with the responsibility to implement them.

Despite the fact that the document under consideration is preliminary, we note with much concern that a perennial problem found in United Nations procurement activities is yet to be adequately addressed. This relates to the increases in procurement from developing countries, which are still largely limited to host countries of United Nations peacekeeping operations and their neighbours. My delegation recognizes the important contribution of that activity to the development of the economies of host and neighbouring countries that are greatly burdened by prevailing conflict situations. However, it is our candid view that greater diversity in that area is needed.

We would also appreciate information on whether procurement officers are ensuring equitable geographical representation among vendors, and on the extent to which the United Nations has taken steps to ensure procurement from vendors from developing countries and countries in transition.

We have learned from elsewhere that some officials have been put on leave. We welcome measures aimed at dealing with officials found to be guilty of fraud, waste or abuse of authority, but we should also bear in mind that it is public knowledge that the United Nations has of late been vocal on the need for democracy in all Member States. Democracy is based on the rule of law. The United Nations should therefore be seen to be practising what it preaches. There should be due process of law and, by extension, the right of accused persons to be heard. Viewed from this perspective, even though the audit report is still in draft form, staff members under investigation are entitled to due process of law and should be deemed innocent until proven guilty.

Finally, let me emphasize th ' scandal, abuse, fraud and mismanagement eat away at confidence in the United Nations. The United Nations is unreformable only if we Member States choose not to reform it. If we make reform, especially management reform, a collective undertaking and not a matter of interest to only a few countries, we are bound to succeed. We sink or swim together. Let us therefore, in tranquility and with unity of purpose, seek to reform this institution, which is indispensable. Our success will redound to the benefit of all Member States, big and small, weak and powerful.

Mr. Al-Nasser (Qatar) (*spoke in Arabic*): I wish at the outset to thank Mr. Mark Malloch Brown for his briefing.

Undoubtedly, the continued increase in the size and complexity of peacekeeping operations leads to an increase in their costs. That requires effective, transparent and practical controls. Specific mandates and proper planning are needed for peacekeeping operations, to prepare for rapid deployment and to ensure the accountability of all those who should bear responsibility, particularly in the area of procurement.

The State of Qatar is deeply concerned with the allegations of mismanagement and fraud in the Secretariat. It believes that the practices of the Department of Peacekeeping Operations should be reviewed in order to determine whether there have been cases of fraud or mismanagement in peacekeeping operations, particularly in procurement. In spite of our rejection of these dishonourable acts of impropriety, we believe that those who will be held accountable will receive due process. We look forward to the report to be submitted to the General Assembly on this issue, which we hope will include comprehensive proposals to improve work in the field and to achieve greater transparency. As for sexual exploitation, we fully agree with Mr. Malloch Brown that there should be absolutely no acceptance of such behaviour.

Mr. Mahiga (United Republic of Tanzania): We, too, thank the Secretary-General's Chef de Cabinet, Mr. Malloch Brown, for his very insightful report to the Council.

The United Republic of Tanzania associates itself with the statements to be made by the Permanent Representative of South Africa on behalf of the Group 77 and China, and by the Permanent Representative of Malaysia on behalf of the Non-Aligned Movement.

The Security Council's interest in the procurement practices of the Department of Peacekeeping Operations (DPKO), triggered by the report of the Office of Internal Oversight Services (OIOS), has created some disquiet among the wider membership of the United Nations, regarding both substance and the manner in which the issue should be handled. The premature leakage of the report to the press was unhelpful and misleading. All of the relevant organs should have a shared interest and concerns about the integrity and credibility of the procurement practices of peacekeeping operations. We believe, therefore, that there is room for balance and latitude for cooperation between and among all the principal organs of our Organization, which can work to promote their respective mandates and objectives in pursuit of our common goals.

We share the belief in the importance of having each organ concentrate on the scope of its mandate in its day-to-day activities. We also recognize the importance of establishing close collaboration, cooperation and complementarity among the various organs as a way of strengthening the Organization. It is in our mutual interest to avert misunderstanding, mistrust and a sense of rivalry. That approach should underlie the reform process to bring about system-wide coherence and rationalization.

Much of the work of the United Nations system does not appear in the headline news; we rarely see any mention of the numerous day-to-day examples of fruitful and constructive activities under the auspices of the United Nations. There is, however, extensive coverage when we fail or are perceived as having failed. It is in this context that the report of the Office of Internal Oversight Services must be seen.

Indeed, the OIOS report on the management review of DPKO procurement reveals gross mismanagement and fraud. Preventing procurement fraud is good governance. It is in the interests of the Organization and of the entire membership.

It is, however, noteworthy that the OIOS report that triggered the current round of concerns was initiated by the General Assembly. The report itself makes that clear. It is the General Assembly that requested the OIOS to conduct a management audit of the Department of Peacekeeping Operations and its procurement practices. It is only fair that the organ that mandated the report should experience a sense of dispossession when it is not the first in line to examine and pronounce itself on the report. The initiatives of the Security Council and the General Assembly on this issue should be complementary in addressing the problems raised by the OIOS report.

The OIOS report and the briefing that we have heard today raise disturbing issues. They are, nonetheless, issues that we must face and overcome. Regrettably, the Organization is too often maligned for being overly unresponsive to reform and insensitive to waste, inefficiency and abuse.

Nothing could be further from the truth. The report of the Office of International Oversight Services reveals an Organization grappling with overcoming challenges that face every organization, every Government and every country, everywhere.

At this critical time when the resources available to the Organization are so crucial to the accomplishment of missions and objectives, individuals who cheat must be identified, stopped and punished. It is imperative that action be taken to prevent, deter and prosecute unscrupulous employees, as well as their collaborators, whose actions rob all of us of the resources needed to fulfil the various mandates we set for the Organization and for ourselves.

The OIOS report calls for urgent action in a number of specific areas, namely, increased education of procurement staff on issues relating to conflict of interest and procurement fraud and enhanced efforts to detect ethics violations and conflict of interest by current and former personnel.

We appreciate the issuance of the report at a time when major reforms are being undertaken within the Organization. We especially appreciate the fact that the General Assembly has already started to adopt measures in response to some of the queries raised in the report, such as efforts to detect ethics violations and conflicts of interest on the part of United Nations personnel.

We believe that in the report on management reforms to be issued at the end of this month, the Secretary-General will propose to the General Assembly further measures for improving the existing system of procurement in the United Nations. It is in this regard that the United Republic of Tanzania, in collaboration with other members of the Group of 77 and China and other Members, will pursue management reform issues in the United Nations in order to realize our collective objective to enhance the effectiveness, efficiency and credibility of the Organization.

Mr. Thomson (United Kingdom): My delegation, too, aligns itself with the statement to be made by the Ambassador of Austria on behalf of the European Union.

Like others, I want to begin by thanking Mark Malloch Brown for his briefing. I think that this has helped the debate here in the United Nations come back to ground. It has reminded us of the actual findings of the Office of Internal Oversight Services (OIOS) report and the actual problems it has identified. The briefing this morning has, I believe, also helped us also focus on solutions.

I welcome, too, the fact that the views of the Department of Peacekeeping Operations (DPKO) on the OIOS report will be available to Member States so that we can have the fullest possible picture.

I wanted to begin where Mark Malloch Brown ended. The Security Council sends United Nations peacekeepers to do what others cannot or will not do. For the international community, this is an indispensable function that the United Nations

performs. We have been reminded again this morning of the rapid growth in United Nations peacekeeping in recent years, including in its procurement functions, and it is worth recalling the challenge of operating in places where no other military will go, not just because of the difficult environment but because the United Nations is by definition operating multi-nationally and without the benefit of formed, trained forces that have worked regularly together, and, similarly, trained civilian personnel who have worked together.

I therefore would like to pay tribute to the excellent work that United Nations peacekeepers do in their often difficult circumstances. Despite the problems that we are discussing today and, indeed, that we will be discussing tomorrow, I believe that the Security Council can and should have confidence in United Nations peacekeeping.

But we are, I think, fundamentally talking about an issue of confidence. The procurement concerns that we are looking at are a very serious matter. Like sexual exploitation and abuse by United Nations peacekeepers, procurement mismanagement or, worse still, fraud can erode confidence and therefore the effectiveness of United Nations peacekeeping.

The briefing we have heard this morning and the OIOS report suggest, among other things, lack of adequate internal controls, procedural failings and lax practices, lack of senior management oversight, control and accountability, questionable delegation of authority, lack of resources, an ill-suited regulatory framework for field operations, potential waste, abuse and even fraud.

My Government's policy towards United Nations procurement, which has been consistently articulated through the European Union in the General Assembly, has included enhanced transparency, accountability and ethical behaviour for staff, greater professionalism for procurement staff and more effective training for them and for their managers.

The fact that many of those elements are highlighted by recent reports — Deloitte as well as OIOS — as critical failings requiring urgent action is more than disappointing. For confidence in United Nations peacekeeping to remain as strong as it needs and deserves to be, the effectiveness and probity of United Nations peacekeeping procurement must now be vigorously addressed.

I therefore welcome the General Assembly action last year to put in motion the OIOS independent review, which has exposed these weaknesses and which has, among other things, led to this discussion this morning.

I welcome the planned briefing by Mark Malloch Brown to the Fifth Committee later this week in follow-up, since there can be no substitute for systematic consideration and action by the General Assembly, its Fifth Committee, the Advisory Committee on Administrative and Budgetary Questions and the Special Committee on Peacekeeping Operations, which deals with the management of, and resources for, United Nations peacekeeping.

I also welcome this open, inclusive exchange, because the Security Council is responsible for the mandates that send United Nations peacekeepers into harm's way, and the Council needs to understand the challenges and shortcomings of United Nations peacekeeping in the field and at Headquarters if it is responsibly and properly to do its job of delivering effective mandates.

I also want to welcome the Secretariat's commitment to zero tolerance, zero complacency and zero impunity for procurement mismanagement and fraud, as Mark Malloch Brown has promised us this morning. I welcome also the continuing vigorous investigations and the Secretariat's commitment to due process, and I hope and believe that there will be observance of the whistleblower protection policy which was promulgated just last December.

Finally, I welcome the Secretariat's commitment to reform of personnel and financial rules and regulations bearing on United Nations peacekeeping that may be suggested by the lessons learned from these investigations. I hope that some of them at least can be reflected in the recommendations that the Secretary-General will be bringing forward at the end of this month.

We expect those recommendations to build, where applicable, on the many reforms already effected in United Nations procurement practices and procedures in recent years. We need to recognize that there has been reform, even if it has been insufficient.

I am reassured by the Secretariat's statement this morning of the action it is taking in response to our procurement concerns, but, as the Ambassador of

Ghana has just said, this is also a matter for all Member States. It is incumbent on all of us, through the General Assembly and its subsidiary bodies, to respond constructively to the recommendations arising from the lessons learned from these investigations.

The investigations are still ongoing, but, in my delegation's view, elements to consider include a better, more formalized working relationship between DPKO and the procurement division, which should include a clear delineation of responsibilities and accountability at all levels. We think that senior managers in both departments should ensure that practices conform with financial rules and regulations while ensuring that expedient procurement in the field can progress without undue delay. That, I think, argues — as Mark Malloch Brown has argued this morning — that we must once again look at the regulatory framework for procurement in the field.

In addition to financial disclosure, ethical guidelines need to be promulgated for United Nations staff involved in procurement activities. There needs to be enhanced, more targeted training for staff, both at Headquarters and in the field, and a single, viable information technology system capable of dealing with all United Nations procurement activities while at the same time itself providing more effective internal controls.

Lastly, it is incumbent not just on the General Assembly and its subsidiary bodies but also on the Security Council to follow this work, to consider any recommendations appropriate to it and to reflect lessons learned in designing its future mandates, so that we, too, in the Council contribute to the highest possible levels of confidence in United Nations peacekeeping.

The President: I shall now make a statement in my capacity as the representative of the United States.

I would like first to thank Mark Malloch Brown for the briefing he has just provided us on this critical matter. I note also the presence of one other Under-Secretary-General today, Under-Secretary-General Guéhenno, and we welcome him as well.

First and foremost, we must always keep in mind that issues of waste, fraud and abuse in peacekeeping procurement are not simply about dollar figures. Corruption and mismanagement can greatly hinder a mission's ability to effectively carry out its mandate. In short, the discussion we are having today is about saving lives, not only of the civilians we are trying to protect, but also of the personnel of the contributing nations participating in peacekeeping operations. Without accountable, cost-effective, efficient and transparent United Nations procurement practices, the United Nations will not have its essential goods and services, billions of dollars of contributions might be ill spent or not properly accounted for, and the effectiveness of United Nations peacekeeping operations would be jeopardized.

This is why it is critical that the Security Council convene today to discuss this matter in an open and transparent fashion. The legitimacy of these open briefings cannot be doubted, given the Security Council's clear responsibility under the Charter for creating, supervising and terminating peacekeeping operations. The participation by responsible Secretariat officials only underscores this point. The commitment of the United States to peacekeeping is firm and is evidenced by our support and advocacy in the Security Council for clear mandates for each mission. So too is the commitment of the Security Council. As a whole, the Security Council bears responsibility, along with the Secretariat, to ensure that United Nations peacekeeping operations are undertaken in the most efficient and transparent process possible.

Precisely because of this commitment, we also have the responsibility to look at the flaws in how peacekeeping is managed, so that we can work together to rectify these problems and to help build stronger, more effective operations.

The challenges are immense, and the problems are many, but we remain committed to working with the United Nations and Member States to achieve effective reform.

I would like to commend the Office of Internal Oversight Services (OIOS) for initiating the report entitled "Comprehensive Management Review of the Department of Peacekeeping Operations — Procurement". No doubt, it is always a difficult task to shine the light on one's own problems, but it is a critical first step. The OIOS report reflects what I believe is increasingly felt by many: that Member States must effect a fundamental shift in the operating culture of the United Nations.

Reading the OIOS report, it struck me how similar it was to that issued by Paul Volcker and his

panel on the oil-for-food scandal. When testifying before the United States Senate Foreign Relations Committee, Mr. Volcker was asked if he thought there was a culture of corruption at the United Nations. His response was that there was not so much a culture of corruption, but a culture of inaction. Sadly, the OIOS report on the Department of Peacekeeping Operations (DPKO) reinforces this view. Indeed, as the report itself notes,

> "it is OIOS's conclusion that there is substantial evidence of abuse in procurement for peacekeeping operations leading to financial losses and significant inaccuracies in planning assumptions".

In particular, OIOS cited the lack of internal controls, noting that

> "It is also of great concern that United Nations management has not enforced accountability for non-adherence to internal control procedures ... [and that] Important controls were lacking while existing ones were often bypassed".

We take note of DPKO's acknowledgement of these primary findings and conclusions by OIOS, but it would be remiss of us not to point out another finding in the OIOS report, which is the likelihood that problems will continue. Section 9 of the report identifies 10 different risk or control areas that OIOS studied, including staffing, vendor qualifications, disclosure of conflict of interest situations, and others. Of the 10 categories they studied, OIOS concluded that failure in any of these could have a "severe" impact on the Organization; but more troubling, in all 10 categories, the likelihood of recurrence "is almost certain under current conditions".

What is needed, then, as I noted earlier, is a shift in the DPKO operating culture. In some cases, OIOS properly identifies institutional flaws. In other cases, though, OIOS identifies problems related to personnel. We concur in full with OIOS when they stress the importance of Article 101, paragraph 3, of the United Nations Charter, which calls for securing the highest standards of efficiency, competence and integrity in the employment of staff. Sadly, as the report notes in overall assessment, "It is clear from the findings in this report that there have been serious lapses in adhering to these standards". This is particularly relevant in an era when DPKO is requesting funding for new positions to be filled and when it is unclear how these staffing patterns fit into overall objectives.

We have taken an important step here today, though, by bringing together many of the interested parties to discuss this important issue. We welcome the participation of the Secretary-General's representatives in these open briefings. Indeed, we take the Secretary-General's decision to cooperate with the Security Council as a signal to welcome new emphasis in peacekeeping on management and professionalism.

We believe it is important to bring together interested parties with important equities and work together cooperatively in a new manner. The reason to do so was made clear by OIOS itself, when it evaluated the past practice of business as usual. As the report states, "Despite numerous recommendations by OIOS in past audit reports, management has failed to establish accountability where irregularities occurred". As I stated earlier, this goes to the heart of the culture of inaction.

Indeed, it is in fact time for a wholesale change in the culture of the many agencies and entities within the United Nations system. Whether it is a culture of inaction or a culture of impunity, we must see changes. The problem of procurement fraud, waste and abuse is one that directly affects our tax dollars as the largest contributor to the United Nations system: 22 per cent in the regular budget, 27 per cent in the case of the peacekeeping budget. This means that the United States pays one fourth of the price in every case of waste, fraud and abuse.

This is unacceptable if we are to heed the charge given to us by our leaders, 150 of whom signed the outcome document (General Assembly resolution 60/1) last September. We take note that DPKO has commenced several initiatives to help counter the problems identified in the OIOS report. And we recognize that they face a daunting task. The surge in peacekeeping operations has strained the Organization, and we understand the challenges faced by those in the field. We will support them with what we believe is necessary to achieve their respective mandates. It is precisely because of these new and ongoing challenges that we expect stronger management, more efficient and effective implementation of mandates and greater accountability for action. But we also maintain that OIOS has the opportunity to evaluate such initiatives with the complete autonomy it has requested. Maintaining the credibility and independence of OIOS is critical if we are to successfully clean up our own house. We need to reinforce this view at the highest

levels and therefore ask, does the Secretary-General believe that OIOS should function independently in its analyses and its operations?

I would like again to thank all those who are participating in today's open briefing. With the proliferation of peacekeeping missions, and a new one set to begin in Darfur in the coming months, the relevance of this issue is undeniable. As uncomfortable as some of these discussions naturally are, the stakes are too high to sweep these problems under the rug. They have an impact not only on the integrity of the United Nations itself, but also on the lives of people participating in the operations and of those we are trying to assist. These are compelling reasons to take firm and decisive action. We should seize the opportunity provided by the OIOS to chart a new course and to help achieve what Secretary Rice has called a lasting revolution of reform here at the United Nations.

I now resume my functions as President of the Security Council.

The next speaker inscribed on my list is the representative of South Africa. I now give him the floor.

Mr. Kumalo (South Africa): Allow me to begin by congratulating you, Sir, on your assumption of the presidency of the Security Council for the month of February.

I have the honour to speak on behalf of the Group of 77 and China.

At the outset, I would like to point out that, for the Group of 77 and China, the Security Council is not the forum for discussing matters that fall within the purview of the General Assembly. The Charter of the United Nations clearly sets out the roles and responsibilities of the principal organs of the United Nations, as do the relevant resolutions of the General Assembly, which is the chief deliberative, policy-making and representative organ of the United Nations.

Like the Non-Aligned Movement, we wish to reiterate our concern over the encroachment by the Security Council on the functions and powers of the General Assembly and of the Economic and Social Council. We see the Security Council infringing on issues that traditionally fall outside of its competence and assuming for itself norm-setting powers that are solely within the purview of the General Assembly. Discussing matters such as procurement is contrary to Article 24 of the Charter, which clearly sets out the primary responsibility of the Council.

This meeting comes at a time when the rest of the membership of the United Nations is actively engaged in a process led by the Secretary-General and the President of the General Assembly to reform and strengthen the United Nations. The fundamental principle underpinning that collective effort is that the United Nations is an intergovernmental body in which the voice of each and every Member State must be heard and respected, irrespective of the contributions made to the budget of the Organization.

All Member States of the United Nations are required to contribute resources to the Organization on the basis of their capacity to pay. The fact that there may be a difference in the levels of monetary contribution to the Organization does not imply any difference in the decision-making role of Member States in the United Nations.

The Group of 77 and China has always supported the Secretary-General's efforts to reform the United Nations. We have always called for greater transparency and accountability within the Organization, as well as for more effective utilization of its resources.

Procurement policies and practices fall under the purview of the General Assembly and are discussed on a regular basis in that body. The Assembly has always considered reports of the oversight bodies on procurement and on the audited financial statements of peacekeeping operations. In fact, in the past few years, decisive action by the General Assembly has led to substantial reforms of the procurement system. The report of the Office of Internal Oversight Services (OIOS) that is being discussed here today was requested by members of the Group of 77 and China, and we still expect it to be formally introduced in and considered by the General Assembly.

Therefore, the insinuation that developing countries might somehow be tolerant of corruption, mismanagement and fraud is wrong. The Group of 77 and China always expects the Secretary-General to take immediate action in cases of corruption, fraud or any wrongdoing within the Organization. We believe that staff should be held accountable for any wrongdoing, irrespective of their nationality or seniority. We wish to ensure that any disciplinary action meets due process, in accordance with the basic

principles of justice and fairness, and that it is in line with the rules and regulations of the Organization. That is why we believe that today's debate undermines the General Assembly, particularly the oversight function that belongs to all Member States.

We are aware that, when the Security Council has assumed for itself the function of overseeing a programme — such as the oil-for-food programme, which was created, managed and overseen by the Council — the experience has not been satisfactory. It was the General Assembly that had to institute additional safeguards such as the newly created Ethics Office, the whistleblower programme and the strengthening of the OIOS following the erroneous perception of widespread corruption and mismanagement within the United Nations.

Throughout the process of United Nations reform, the Group of 77 and China, representing more than two thirds of the United Nations membership, has always been ready to engage in constructive dialogue with Member States from all regions of the world. For us, the United Nations matters. We represent developing countries that look to the United Nations to assist them in development and to help our people respond to the permanent threat of underdevelopment. We believe in the need for security. However, security without development will always be unattainable.

The President: The next speaker inscribed on my list is the representative of Singapore. I now give him the floor.

Mr. Menon (Singapore): Thank you, Mr. President, for giving me the floor. This is an important issue. All voices should be heard.

None of us at the General Assembly's fifty-ninth session could have imagined what was in store when we asked the Office of Internal Oversight Services (OIOS) to conduct a management audit of the Department of Peacekeeping Operations. All we wanted was to investigate allegations of fraud and mismanagement, so that we could address problems in the system.

More than a year later, the 45-page OIOS report has become a source of much inspiration. It has inspired the Secretariat to place eight of its staff on leave without charge. The draft was also leaked, inspiring journalists to write about the story and to print the names of those staff. A senior United Nations official was inspired to bypass the General Assembly, to call a press conference and to speak about corruption in the United Nations. Member States and one grouping of States were then inspired to question that official's motives and to ask about due process and equal treatment. Two members of the United States Congress were inspired to misinterpret the motives of that grouping. Now, we find that both the General Assembly and the Security Council are inspired to deal with the issue and to define the limits of their respective mandates.

I like to be positive. I am inspired to believe that, despite the tensions, this episode will have been a good one if it motivates us to look seriously at reform and the sanctity of the reform process. This is not about making particular countries happy; this is not about providing a platform for people to grandstand and show off. This is about making the United Nations work for its entire membership. A well-run, legitimate and credible United Nations assists in areas as diverse as development, humanitarian relief and conflict prevention. We should all be committed to making the United Nations work, because it is our servant and because our success or our failure will be collective.

In that spirit, let us look at the OIOS report. Its conclusions are dire. Apparently, according to the report, there is substantial evidence of abuse in procurement for peacekeeping operations, leading to financial losses and significant inaccuracies in planning assumptions. Numbers as high as $300 million overall have been cited by the OIOS. The scale of this, assuming it is true, demands a quick and thorough investigation. We need to get to the bottom of this. But at the same time, the investigations require probity and unquestioned fairness. To have legitimacy, they cannot be seen as a selective witch-hunt or as a means for personal profiling. Unfortunately, we have fallen short here.

I state outright that a Singapore national is among the eight staff members placed on administrative leave. That said, has due process been followed?

First, the staff members were placed on administrative leave in mid-January without being given copies of the draft report on which their leave was ostensibly based. How does one defend oneself without knowing the charges?

Secondly, the draft OIOS report was leaked, leading to the publication of the names of the staff

members. To make matters worse, a senior Secretariat official called a press conference thereafter and spoke of apparent fraud and corruption in the United Nations. This must, at the very least, prejudge the investigations. The curious decision to speak to the press also bypassed the very body, the General Assembly, which called for the report in the first place. Member States were only provided copies of the OIOS report at their request, more than a week later. This would be comical if it were not so tragic. It also spurred a broader debate on the relationship between the Secretariat and the General Assembly.

Thirdly, there are questions about equal treatment. The OIOS report dealt primarily with alleged wrongdoing in procurement activities in peacekeeping operations. I understand that those operations are under the management of the Department of Peacekeeping Operations (DPKO) and that authority had also been delegated to senior DPKO staff to conduct procurement activities in the field up to a predetermined level. Yet the highest ranking official placed on administrative leave is the Assistant Secretary-General for Management. It seems incongruous to us that his counterpart from DPKO, in whom delegated authority was vested, was not treated in the same way. Even a member of the OIOS team which drafted the report had recently said during a lunchtime briefing, "Any delegation of authority comes with accountability".

Perhaps it is our zeal to reform that has led us to forget the process on occasion. But we need to remember that the process is important if we want our actions to be legitimate and enduring. And while I certainly support scrutiny into the Department of Management and DPKO based on the OIOS report, this is not the only report in town. The Volcker Commission has also come up with a voluminous report on a larger topic. Perhaps some of our reform zeal should be apportioned to looking into how billions of dollars seem to have been mismanaged in the oil-for-food programme. This is an issue I believe the Security Council is aware of. As H.L. Mencken once said, "Injustice is relatively easy to bear; what stings is justice". Perhaps we need to apply the stings more evenly.

Moving back to the OIOS report, there comes a point where we have to cease crying over spilt milk. Some peculiar decisions have led to a fair amount of damage being done both to individuals and to the relationship between the Secretariat and Member States. To move forward, I can only ask that the investigations be carried out thoroughly and as quickly as possible. If the evidence points to charges, then make them, so that the staff members in question can defend themselves. If they are unable to do so, then find them guilty of wrongdoing and deal with them accordingly. Conversely, if they are exonerated, they should be reinstated and given a full apology.

This should be done before the current Secretary-General steps down. I say that because investigations in the United Nations have an odd habit of dragging on to become another person's problem. So let us approach the issue of reform and its various facets with even-handedness and equal fervour. As Martin Luther King, Jr., once wrote, "Injustice anywhere is a threat to justice everywhere".

The President: To speak briefly in my national capacity, Ambassador Menon referred to a press conference held by a senior Secretariat official, and I would just ask Mr. Mark Malloch Brown to indicate, when his time comes to respond, if he would not agree that he asked that senior United Nations official to hold that press conference.

I now resume my functions as President of the Security Council.

I give the floor to the representative of Austria.

Mr. Pfanzelter (Austria): I have the honour to speak on behalf of the European Union (EU) and the other countries aligning themselves with this statement.

The European Union strongly supports United Nations peacekeeping both in principle and in practice. Its support rests on principle because the United Nations brings with it unique legitimacy. This is combined with its impartiality and professionalism, and the United Nations is often the only hope for war-torn countries and their citizens to find their way on to the path of peace and stability. A recent comparative study by the RAND Corporation on nation-building efforts has shown the remarkable success rate of United Nations peacekeeping. The authors conclude that the United Nations provides the most suitable institutional framework for nation-building missions that require fewer than 20,000 men. They further conclude that the United Nations framework provides for a comparatively low cost structure, a comparatively high success rate and the greatest degree of international legitimacy. From our own experience, we share that assessment.

The practical support of the European Union for United Nations peacekeeping is demonstrated by sheer numbers. At present, the annual budget for peacekeeping operations amounts to over $5 billion. The European Union, collectively, is by far the largest financial contributor and provides roughly 38.5 per cent of the peacekeeping budget. EU member States together also provide about 4,100 troops in the field. Thus, it goes without saying that we too have a particular interest that resources are deployed in the most efficient and effective way. We are deeply concerned about the recent allegations of fraud and mismanagement in procurement for peacekeeping, and we support all efforts to investigate those allegations.

In that context, we would like to express our appreciation for the work of the Office of Internal Oversight Services (OIOS), which has itself brought to our attention these cases of possible fraud. Those found guilty must be held accountable, with respect for due process. We believe that stronger internal controls and improved oversight must be put in place and that the highest ethical standards must be applied to prevent such instances from recurring. All departments involved in the procurement process must ensure that senior managers within those departments are seized of the need to oversee the procurement process, ensure compliance with relevant rules and regulations and be accountable — and, of course, be seen to be accountable — for their actions.

At the same time, we must not forget that it is often under the most difficult circumstances and under enormous time pressure that the United Nations is called upon to set up peacekeeping operations. Without delay, troops have to be deployed, equipment has to be procured and the necessary infrastructure has to be put in place. That is an immense task and we would like to express our high appreciation for the outstanding achievements of the Organization in this regard.

Since 1948, 2,248 United Nations peacekeepers have lost their lives in the line of duty. Day after day, United Nations peacekeepers all over the world are providing essential services to Member States and their populations. It is our collective duty to ensure that sound management is practised at the United Nations, including in the field of peacekeeping. It is also our duty as responsible States Members of the United Nations to ensure that the overall picture of commitment, success and hard work on the part of United Nations peacekeepers — who are mandated their difficult tasks by the members of the Security Council — is made known to the world.

The President: I call on the representative of Sierra Leone.

Mr. Pemagbi (Sierra Leone): It is my honour and duty, on behalf of the African Group, to contribute to this debate on management of the United Nations peacekeeping operations.

The African Group associates itself with the statements of the Group of 77 and the Non-Aligned Movement.

Let me begin by joining those who have spoken before me in congratulating you, Sir, on your assumption of the responsibility of directing the work of the Security Council for the month of February.

I would also like to thank Mr. Mark Malloch Brown for his very helpful briefing this morning.

The United Nations is at the height of a process of historic reforms, and I assure all members of the Security Council that the African Group has been and will continue to be totally committed to pursuing the objectives of the reforms to their desired conclusions. In that regard, the Group appreciates any effort designed and appropriately channelled to make the Organization more efficient and capable of delivering its objectives. It is with that view that the African Group is resolved to support measures aimed at correcting weaknesses in the management of peacekeeping operations, particularly in procurement, that have absolutely no place in the United Nations. The African Group is aware that peacekeeping is so central to the work of the United Nations that any mismanagement of its process can damage the image of the Organization, and we cannot afford that.

The Group, however, holds the view that a debate on this subject matter falls within the domain of the responsibility of the General Assembly, which, according to the Charter, is the deliberative, policy-making and representative organ of the United Nations. In fact, the General Assembly is actively seized of this subject and is expecting reports on the matter from the Secretary-General. The African Group therefore views this debate as an encroachment on the authority of the General Assembly, particularly at a time when efforts are being made to strengthen and revitalize the Assembly.

We look forward to the Secretary-General's report, which I am sure will recommend strategies for tackling the problem of transparency and accountability in the procurement system of peacekeeping operations.

The President: I call on the representative of Malaysia.

Mr. Hamidon (Malaysia): I have the honour to speak on behalf of the Non-Aligned Movement (NAM).

At the outset, NAM congratulates you, Sir, on your assumption of the presidency of the Security Council for the month of February. My delegation expresses its appreciation to the Security Council for giving its consent to NAM to participate in this important meeting.

Like the Group of 77 and China, NAM insists that the Security Council is not the forum in which to discuss questions relating to peacekeeping operations procurement, which is a matter that falls within the functions and powers of the General Assembly.

The General Assembly is the chief oversight body of the United Nations. Oversight of procurement, including for peacekeeping operations, as with other aspects of management, is the prerogative of the Assembly. As we all have recognized, the audit in question is one that was mandated by the Assembly through its resolution 59/296. In point of fact, the proposal requesting the Secretary-General to conduct a comprehensive management audit of risk areas in the management of peacekeeping operations was introduced by the developing countries in order to identify possible instances of fraud and abuse of authority. The outcome of that audit, which is contained in the draft report of the Office of Internal Oversight Services, is yet to be introduced in the Assembly.

Not only is it inappropriate, therefore, for the Security Council to discuss issues of oversight and management, which are the functions of the General Assembly; it is even more inappropriate to have that discussion based on a report or the salient elements of a report that was mandated by the Assembly and which is to be placed before it by the Secretary-General in due course.

We are all, of course, well aware of the consequences of the Security Council's involving itself in the management of United Nations programmes. The Volcker Committee report and its searing criticism of the role played by the Security Council are all too fresh for all of us. We would have preferred that the Security Council draw its lessons from the consequences emanating from that report and desist from continuing its encroachment into areas that are beyond its mandate and competence.

While mindful of the multifaceted and multidisciplinary character of the mandates of peacekeeping operations sanctioned by the Security Council, and bearing in mind Article 24 of the Charter, the Non-Aligned Movement strongly affirms that Article 24 and the aforementioned character do not necessarily provide the Council with the competence to address issues which fall within the functions and powers of the General Assembly and the Economic and Social Council. In that regard, the Non-Aligned Movement cautions about the danger of encroachment by the Council on issues which clearly fall within the functions and powers of the Assembly and its subsidiary bodies.

While noting that peacekeeping operations procurement is being discussed by the Council, the Non-Aligned Movement recalls once again that the preparation and submission of the reports concerning those issues were in fact requested by the Assembly and that those issues are still under its active consideration. In addition, the Non-Aligned Movement stresses that the Charter provides the Assembly with the competence to consider issues relating to the financial and budgetary arrangements of peacekeeping operations. On the basis of those arguments, the Non-Aligned Movement cautions about the danger of the Council's subsequently adopting an outcome on those two issues that could prejudge or undermine the decision or recommendation that would be made by the Assembly in due course.

The Non-Aligned Movement underscores the need for full respect for the functions and powers of the principal organs, in particular the Assembly, and to maintain the balance among them within their respective functions and powers in accordance with the Charter, as well as the need for the States Members of the Organization, in respecting and upholding the Charter, to stop any attempt to shift issues on the agenda of the Assembly — and the Economic and Social Council, for that matter — to the Security Council. The Non-Aligned Movement stresses that the Council must fully observe all provisions of the Charter as well as all resolutions of the Assembly that clarify its relationship with the latter organ — the chief

deliberative, policy-making and representative organ of the United Nations — and other principal organs.

The Non-Aligned Movement remains particularly concerned over the exercise of norm-setting and establishing definitions by the Security Council in areas beyond its mandate and competence. The Non-Aligned Movement reiterates that, in accordance with paragraph 1 of Article 13 of the Charter, the General Assembly, which is the universal and representative forum comprising all States Members of the Organization, is primarily tasked with the progressive development of international law and its codification. The Non-Aligned Movement supports the ongoing efforts, under the leadership of the President of the Assembly, to strengthen the central role and authority of the Assembly, inspired by the criteria of relevance and efficiency.

The Non-Aligned Movement has called on the President of the General Assembly to institute necessary measures, within his powers and mandate, to uphold the primacy of and full respect for the Charter and the Assembly. Similarly, NAM believes that the President of the Council should do likewise. In that connection, the Non-Aligned Movement would strongly urge the President of the Assembly, the President of this Council and the President of the Economic and Social Council, consistent with General Assembly resolution 58/126, to continue to discuss among themselves, on a regular basis, the agenda and programme of work of the respective principal organs that they represent in order to establish increased coherence and complementarity among those organs in a mutually reinforcing manner, respectful of each other's mandates. In addition, such a discussion could certainly generate mutual understanding among them, in whom members of the respective organs that they represent have in good faith vested their trust and confidence as regards the need to uphold the sacrosanct provisions enshrined in the Charter relating to the functions and powers of each principal organ.

In conclusion, the Non-Aligned Movement reaffirms that close cooperation and coordination among the principal organs of the United Nations, in conformity with their respective functions and powers as set out in the Charter, are indispensable in enabling the United Nations to remain relevant and capable of meeting the myriad current, emerging and future threats and challenges in the fields of development and social advancement, peace and security, human rights and the rule of law.

The President: I now give the floor to Mr. Malloch Brown to respond to comments and questions raised.

Mr. Malloch Brown: I must say that, listening to this debate, two thoughts are uppermost in my mind. The first is the seriousness of all speakers with regard to dealing with the breakdown of systems and, in some cases perhaps, corruption. I think we all are very sober about that. Everybody recognizes that we have to solve these problems. The second very strong sense I have is the difficulty of dealing with these evolving management issues, where we have investigations under way, in a political forum such as this. I say that at several levels; first, because words matter. Unintentionally, people can imply guilt when there is still not a completed investigation. Unintentionally, people can exaggerate — or indeed understate — the extent of problems. All of this leads to great difficulty for us on the management side to act in a steady, fair and balanced way towards all involved.

The President asked, in his national capacity, whether I would confirm that I had indeed asked a senior official, who happens to be an American, to brief the press. I will confirm that I certainly did so. The reason that I asked him to do it was because there had been a leak, which was already in the press and which was doing severe damage to the reputation of the Organization and to the individuals who had been named. What I asked him to do was to explain the steps we were taking to make sure that the audit reports were followed up. We did not ask him to, and he did not, lay out the findings of this report, because those indeed should properly first go to the Member States. But, because the report had been leaked, it was very difficult for that official to keep his briefing separate from the findings in the report. But, again, I come back to the point that words matter. Journalists took observations that were made in that press conference as evidence of proven corruption. The official did not intend them that way; and he would have had no basis to claim them that way, because investigations continue.

As Chief of Staff to a Secretary-General who believes profoundly not so much in the national but in the international civil servant concept, I would like to speak up for another American official, the Assistant Secretary-General for Peacekeeping Operations. It was

suggested that perhaps she too should have been suspended. I just want to say that this is where words become so difficult, because, with great respect to the Permanent Representative of Singapore, these are two very different cases. One revolves around an investigation into actions that the individual he named took, which we very much hope will exonerate him. The Secretary-General felt that, until that investigation was completed, it was not appropriate that he continue with his functions. Against the other individual no such allegations, by any stretch of the imagination, have been made. It is an issue of where the buck stops in a system of decentralized management and accountability. In our response to the report of the Office of Internal Oversight Services (OIOS), we made it clear that we feel that management at all levels — the Secretary-General, those of us who work for him and the Under-Secretary-General for Peacekeeping Operations and his senior colleagues: all of us — have to take responsibility for a breakdown of this kind. But we think it would be very unfair to single out one senior official at the expense of others.

Again, just on the point that words matter, many participants listened carefully to what I said about the $300 million that was identified in the OIOS report. But to those who again described it as one bundle, let me again say that a big portion of it pertains to over-budgeting of resources, not a penny of which we have any reason to believe was lost to the Organization. The second part of that figure pertains to an extrapolation of sums from two missions studied: What if the same thing had happened in all missions? But those were two new missions, which have much greater vulnerability to difficulties in the area of procurement than do established missions that have systems well in place. The third large part of that figure has to do with weak compliance with procedures, which again may mean that there was something funny going on, but not necessarily, given that we believe those procedures are unduly complicated and not suitable for the field operations that they cover.

Having said all that, we acknowledge that within the $300 million there is a much smaller percentage that, on the face of it, is extremely alarming and may, at the end of investigations, lead to charges against individual colleagues. But I think that a sense of proportion is extremely important in all of this.

I would like to make two final points.

Again, we must not let politics get in the way of the difficult management task we have before us. The Secretary-General was very happy to have me come to brief the Council at the request of the President. But he warned the Council that he was extremely concerned that this might become a kind of showdown between the General Assembly and the Security Council about their respective roles. None of us want that, at a time when we all have to work together both to solve a problem of this kind and, more important, to push through critical reforms of our Organization, including establishing the Human Rights Council and dealing with management reform, which comes up next week. We cannot do it if we are divided about the different roles that the Council and our Governments must play.

Finally on the issue of management reform, let me just say — to, if you like, pre-sell what you will hear from us next week — that, as I have told the Council, there is a 50 per cent vacancy rate in field procurement staff. That is against a 30 per cent vacancy rate in field staff generally. We have to improve their conditions of service. Their families are not with them, they are on short-term contracts and they are very disadvantaged as compared with those of us who work here in New York. We have to correct that if we want a stable, motivated workforce that prevents problems of these kinds from arising.

With regard to the issue of training, guess what the training budget is for the 70 members of the procurement department here at Headquarters. It is a princely $20,000 per year. Yet we have a major issue in this area with regard to retraining and retooling, which we need to address. As was mentioned by several Permanent Representatives, unless we create an information technology (IT) platform to underpin procurement, and for that matter all of our decentralized management arrangements, we are not going to get to the bottom of these issues. New IT systems are also expensive. Do not, therefore, expect next week's management reform report to be cheap on the pocketbook. If we want a United Nations that lives up to what all of those around this table have said this week, it will cost us. But I think it will be an investment well worth making.

The President: I thank Mr. Malloch Brown for the clarifications he has provided.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.40 p.m.

United Nations S/PV.5377

Security Council

Sixty-first year

Provisional

5377th meeting

Wednesday, 22 February 2006, 3.55 p.m.

New York

President:	Mr. Bolton	(United States of America)
Members:	Argentina	Mr. Mayoral
	China	Mr. Wang Guangya
	Congo	Mr. Biabaroh-Iboro
	Denmark	Ms. Løj
	France	Mr. De La Sablière
	Ghana	Mr. Christian
	Greece	Mrs. Papadopoulou
	Japan	Mr. Omura
	Peru	Mr. De Rivero
	Qatar	Mr. Al-Nasser
	Russian Federation	Mr. Dolgov
	Slovakia	Mr. Burian
	United Kingdom of Great Britain and Northern Ireland	Mr. Bye
	United Republic of Tanzania	Mr. Manongi

Agenda

The question concerning Haiti

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

06-24882 (E)

The meeting was called to order at 3.55 p.m.

Adoption of the agenda

The agenda was adopted.

The question concerning Haiti

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 37 of its provisional rules of procedure to Mr. Gérard Latortue, Interim Prime Minister of the Republic of Haiti.

It is so decided.

I request the representative of the Protocol and Liaison Service to escort His Excellency Mr. Gérard Latortue, Interim Prime Minister of the Republic of Haiti, to a seat at the Council table.

Mr. Gérard Latortue, Interim Prime Minister of the Republic of Haiti, was escorted to a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Juan Gabriel Valdés, Special Representative of the Secretary-General and Head of the United Nations Stabilization Mission in Haiti.

It is so decided.

I invite Mr. Valdés to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

I give the floor to Mr. Gérard Latortue, Interim Prime Minister of the Republic of Haiti.

Mr. Latortue (Haiti) (*spoke in French*): Allow me at the outset to thank you, Mr. President, for having invited me here today, which will allow me not only to provide the Council with firsthand information on Haiti but also give me the opportunity to correct the wrong impression that is sometimes given by the headlines of the international press, which has long been accustomed to projecting a negative image of Haiti and which sometimes has trouble grasping and conveying the real and deep-seated changes that have been taking place in that country, especially during the last two years of democratic transition.

I should like to thank in particular the Security Council, as well as the international community, which, in two years, have not once hesitated to come to the rescue of my country. Indeed, the Council adopted a number of resolutions that made it possible to set up the United Nations Stabilization Mission in Haiti (MINUSTAH) and enabled cooperation with Haiti. I wish in particular to thank the Council for its most recent resolution — resolution 1658 (2006).

I should like to convey the gratitude of the Haitian people to the 43 countries, representing all continents, that are contributing troops and police to ensure the country's stability. I take this opportunity to reiterate once again the condolences and to convey the sympathy of the Haitian people in connection with those MINUSTAH soldiers — those soldiers of peace — who gave their lives in the accomplishment of their noble mission. I should like in particular to express my condolences to the Government and the people of Brazil in connection with the death of the Brazilian general killed in circumstances we are familiar with.

This spirit of solidarity on the part of the Haitian people has a real value, especially in times of tension, such as when accusations were made that led to an improvement in the relations between MINUSTAH forces and the Haitian national police and helped us in particular to make their joint action more effective.

I must also congratulate in particular the Special Representative of the Secretary-General, Ambassador Juan Gabriel Valdés, who, as the civilian Head of MINUSTAH, was able to establish relations with the various segments of Haitian society — in the public and private sectors alike — that have made it possible truly to achieve the highest level of effectiveness in the work that MINUSTAH is doing in Haiti.

After two years of a transition that was more eventful than we would have liked, the time of reckoning has come. The Council is aware that the main task facing the Transitional Government was to organize free, fair, democratic, transparent and, most important, inclusive elections with the participation of all Haitian political actors.

I can inform the Council this afternoon that that mission was accomplished even more successfully than we had hoped. There were many threats to the holding of the elections — primarily institutional and organizational problems, which made people fear, until the very last minute, that it would be impossible successfully to hold the elections.

I should like to thank the Security Council, which last month issued a statement by its then President, the Ambassador of Tanzania. Indeed, the Council supported the holding of the elections, which were scheduled to take place on 7 February at the latest.

There were other problems as well, such as insecurity, which affected a number of neighbourhoods in the capital. For a long time, we were afraid that that insecurity would lead to a very low participation rate, which, as the Council can imagine, would have undermined the legitimacy of the process. Fortunately, however, once again MINUSTAH did a wonderful job, and, thanks to cooperation with the national police, under the leadership of Mr. Mario Andresol, we were able to maintain a level of security that made it possible for the people to go and vote in large numbers.

Press reports all stated that Haitian people from every walk of life voted in large numbers on the day of the elections. Of course, they did so because there was security, but there was another reason as well: the Haitian population trusted the Transitional Government, which, on many occasions, had reaffirmed its neutrality vis-à-vis the electoral process. The Haitians knew that their votes would count and that there would be no attempt on the part of the Government to manipulate the expression of their will.

Once again, we have to say that the results exceeded all of our expectations. The participation rate was greater than 65 per cent of registered voters. As the Council knows, this percentage is rarely achieved, even in countries with a long democratic tradition.

But the Haitian people understood — and the Government told them as well — that the only way that we could bring about change in Haiti was to vote. Personally, on many occasions I reminded the Haitian people that there was only one really effective weapon to bring about the desired change, and that was their ballot. The Haitian people showed this in a remarkable way.

Elections took place smoothly, with a bit of a delay at the start of the operations. This was due primarily to a lack of organizational ability, which exists in all Haitian institutions. Instead of beginning at 6 a.m., the voting really began around 8.30 or 9.00. In spite of everything Haitian voters proved to be very patient. Imagine this — voters who left home at 3 a.m. and sometimes walked for two hours in order to arrive at 5 a.m. at a voting centre that did not open until 9 a.m. And still, all you had to do was see the conviviality in the faces of the voters. There was no sign of impatience, there was no sign of violence. In fact, a large number of foreign journalists who were expecting to see blood and violence in Port-au-Prince that day wondered, "Well, what did we come to look for in this country? Nothing is happening" — as if something only happens when that something is bad. Well, to the world's great surprise, Haitians showed their good faith and, above all, their confidence in the democratic process, and that they had recognized the need to vote for the candidate of their choice.

The concern for transparency in organizing the elections almost led to a lack of understanding on the part of the people. Why? Because using rather advanced technology for the first time in an election campaign, the Electoral Council, with the help of the Organization of American States and MINUSTAH, decided not to proclaim the results at one time, when all of the ballots had been gathered. They decided to provide partial results, and this led to enormous problems.

How did this happen? Well, the partial results began in Port-au-Prince, where one of the candidates, Mr. René Préval, was unquestionably the most popular. In some neighbourhoods in Port-au-Prince he managed to get almost 80 or 85 per cent of the votes. But as one moved away from Port-au-Prince and as the votes came in from the interior, this percentage decreased. Then too, the Director of the Provisional Electoral Council had announced that the results would be proclaimed in three days. Five days went by without the Council being able to get the final results, and Mr. Préval's percentage declined every time. This created a problem. The population thought that the time beyond the three days was time that the Government wanted to use in order to steal Mr. Préval's victory.

Despite a message to the nation in which I pointed out to the people that the Government was completely neutral and would respect the people's will,

people did not believe this, and things almost turned sour. But happily the Provisional Electoral Council, in its wisdom, was able to find a formula that made it possible to announce the results, by sharing the blank ballots in a proportional way. Here, perhaps, an explanation is needed.

Our Constitution demands that all blank ballots have to be counted, without specifying how they are to be counted. At some voting stations, there sometimes were almost 40 per cent of blank ballots. Now, I am sure that all members know that blank ballots are a way for a sophisticated electorat to express rejection. But that is not the case in Haiti. Imagine, as I said a few minutes ago, these voters who left their homes at three o'clock in the morning, who sometimes walked two or three hours and who waited three hours to vote. One can guess that they did not do that in order to submit a blank ballot. It was to express their will.

The results of the presidential election were finally announced, and Mr. René Préval, former President of the Republic, leader of the Lespwa party and former Prime Minister under Mr. Aristide, was declared the winner of the elections, with 51.2 per cent of the votes that were cast. The second candidate, after him, obtained barely 11 per cent of the votes. I think that the choice of the Haitian people was clear, unambiguous and in accordance with a legal interpretation of the Constitution.

And so, we have a President-elect who will be sworn in on 29 March, Constitution Day. For us, this is the way of symbolically showing that Haiti is returning to a constitutional order. A second round of elections will take place on 19 March to elect deputies and senators, and the President of the Republic will be sworn in before parliament. We hope that there will be no problems and that the second round will take place on 19 March, as planned, and that power will be transferred on 29 March.

I would like to take this opportunity to invite the Security Council to visit Haiti — just as it did some months ago. If the Council could only be with us in Port-au-Prince to celebrate this victory for democracy, I am sure that it would be an important sign of the international community's support for the democratic process. We will need that support, because today the Haitian people, who wanted to express their devotion to the principles of democracy, need the support of the international community to be able to continue to move in that direction. As Council members know, elections are only a first step along the long path that can lead us to stability, to democracy and to economic and social development.

Democracy, as members know, is not simply the organization of an election, however free it may be. Now we need to work to establish and strengthen democratic institutions. I call for the understanding and the solidarity of everyone here. We will need to be accompanied by the international community for some time yet. The international community should not make the same mistake that it did 10 years ago by abandoning Haiti to its fate once an elected Government was in place. Democracy is taking its first steps in my country. It needs to be accompanied and supported in order to grow, to develop and, above all, to become irreversible.

I welcome the Security Council's decision to extend the mandate of the United Nations Stabilization Mission in Haiti (MINUSTAH) for six months. But I believe that possible new changes to support MINUSTAH will have to be considered, in particular with the new Government. Indeed, resolution 1658 (2006) states that very clearly.

But that does not prevent us from beginning to think now about a certain number of post-election activities — particularly the assistance that will need to be given to the new democratic institutions, such as the parliament, whose members will need training, the municipalities and communities. True democracy must begin with the communities, continue at the level of the commune, arrive at the Senate and the department level and finally reach the President of the Republic if we are to have democratic management of public affairs.

The United Nations already has a mission in Haiti that is studying changes to be made to ensure that there will be a certain number of post-election activities to bolster the new parliamentarians, newly elected officials and new mayors. Then we will have to set up a permanent electoral council and thus make permanent the gains of the process now under way.

We will also need such assistance in the area of justice. If there is still a weak spot in Haiti today, it is surely the judicial system and the need to professionalize the national police. Those are the two important points that I would like the Council to think about a bit as it takes decisions concerning Haiti in the

future: professionalization of the police and reform of the judicial system.

We in the Transitional Government have tried very hard to improve the quality of good economic governance. I hope that the new Government will go in the same direction, but it will need the support of the international community in that area as well. From the information that I learned last night, after the World Bank meeting on Haiti's future held yesterday in Washington, I believe that all donors have recognized the need to establish a programme to support democracy in Haiti beyond the elections.

Already, in Brussels, at our most recent meeting with the European Union, we have agreed to extend the Interim Cooperation Framework beyond the date initially planned, September 2006, to December 2007. Here again, I appeal urgently to the international community to review the mechanisms for international assistance and cooperation. We must, at all costs, avoid sprinkling little projects here and there and must come up with a comprehensive development plan that could be discussed with the newly elected Government.

I am already convinced that, in Haiti in the coming months, we will need fewer military personnel but many more engineers — many more men and women dedicated to solving the problems of economic and social development. I wish to reiterate what many others have said before me: the root cause of the problems of instability in Haiti does not have only military solutions. We must search for the deep-rooted cause of instability in the poverty, unemployment and social inequality that exist in Haiti.

Because today is surely my last opportunity to speak before the Security Council, I would like all members to take note of these points so that, in the programmes to be established, high priority will be given to the basic infrastructure that is essential for the economic and social development of Haiti.

Finally, I simply wish to tell the Council how pleased I am with the cooperation that the Security Council has extended to my country over the past two years — cooperation on the part of all Council members in support of the actions we have taken. I hope that it will continue and that the entire international community will continue to support Haiti.

The President: I thank Prime Minister Latortue for his statement.

Before adjourning the meeting, I should like to take this opportunity to express, on behalf of the Security Council, our appreciation to the Interim Prime Minister of the Republic of Haiti for coming to address the Council.

The meeting rose at 4.25 p.m.

United Nations S/PV.5378

Security Council

Sixty-first year

Provisional

5378th meeting

Thursday, 23 February 2006, 10.15 a.m.

New York

President:	Mr. Bolton	(United States of America)
Members:	Argentina	Mr. García Moritán
	China	Mr. Zhang Yishan
	Congo	Mr. Biabaroh-Iboro
	Denmark	Ms. Løj
	France	Mr. De Rivière
	Ghana	Nana Effah-Apenteng
	Greece	Mrs. Papadopoulou
	Japan	Mr. Oshima
	Peru	Mr. De Rivero
	Qatar	Mr. Al-Bader
	Russian Federation	Mr. Denisov
	Slovakia	Mr. Burian
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United Republic of Tanzania	Mr. Mahiga

Agenda

The situation in Côte d'Ivoire

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

06-25103 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Côte d'Ivoire

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

After consultations among the members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

> "The Security Council reiterates its full support for the International Working Group (IWG) and endorses its fourth final communiqué. It commends Prime Minister Charles Konan Banny for his efforts to implement the road map established by the IWG in accordance with resolution 1633 (2005). The Security Council reiterates its full support for him. It also welcomes the cooperation between the Prime Minister and the President.
>
> "The Security Council also endorses the arbitration by the High Representative for Elections according to which the election of the Independent Electoral Commission (IEC) Bureau is in compliance with the Pretoria Agreement. It urges the Ivorian parties to ensure the effective functioning of the IEC as soon as possible.
>
> "The Security Council also underscores the imperative to guarantee the independence and neutrality of Radio Television Ivoirienne (RTI).
>
> "The Security Council urges the Ivorian State authorities to facilitate, notably in the west, the return of humanitarian agencies and organization.
>
> "The Security Council will review at the beginning of March the progress made in the implementation of resolution 1633 (2005) and the decisions of the IWG. It will pay special attention to the functioning of the IEC, to the steps taken in order to guarantee unhindered and equitable access to RTI, and to the launch of disarmament operations and the identification process."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2006/9.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.20 a.m.